

THE POLITICS OF POLITICAL DETENTION



K. Kesse-Adu

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Dedication

This book is dedicated to the memory of the "doyen"
Dr. Joseph Boakye Danquah, B.A., LL.B., PH.D., F.R.S.A. (Lawyer,
Journalist, Poet, Author and Philosopher), John Stuart Mills
Scholar in the Philosophy of Mind and Logic, Twafohene of
Akyem Abuakwa (Barima Kwame Kyeretwie, Odehye of
Adadientem) who died at Nsawam Political Prison on 4th
February, 1965, in the service of his country,

and

all those who were detained by the CPP regime or suffered in
exile or in silence.

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Foreword

I realise that this book merely skims the surface of the political events of Ghana for the past two decades. This has been done on purpose; there exist already a number of books dealing with the history of the period.

The decision to publish this sketch is based on the belief that such an essay is of importance to the new society under Ghana's new Republic.

The sketch deals with the micropolitical domain of politicians on individual planes and the macropolitical dealings of group relationships—namely politicians dealing with their fellow citizens and of the *establishment* dealing with society as a whole.

Politics is both a science and an art. It is based on choice and commitments for the general good. But like the two faces of Janus, it could on the one hand create disintegration and on the other forge integration depending upon how power is manipulated to create conflict or harmony.

The inference to be drawn in relation to the administration of the First Republic is anybody's guess as to whether there was a rule of order and justice or the rule of self-interest and political strife.

This essay also recounts the background to the *Danquah Petitions* which have been embodied in the treatise. These petitions are important to historians. They offer the clue to what went wrong in Ghana under the regime of the Convention People's Party.

I am grateful to Mr. Brodie Mends for agreeing to write the introduction to this book. "Brodie" as he is affectionately called, was one of those who suffered in silence under the Nkrumah regime. He was constantly threatened with detention. On one occasion, he was actually telephoned from Flagstaff House, to be ready for detention.

If all the names of my compatriots with whom I suffered in Ussher Fort have not appeared in this treatise, it is due to the fact that it would be impossible to include over 2,000 names in such a sketch. Their spirit of endurance is imperishable and their suffering can never be rewarded. But, it is sufficient honour that down through the corridors of our history, their names shall never die.

Introduction

It is very easy to assume that the importance of Mr. Kwame Kesse-Adu's book lies in the annexed copious petitions written by the immortal Dr. J. B. Danquah while there was still some breath in him in the darkness of the detention cells.

Dr. Danquah's towering personality in politics should not, however, diminish the importance of Kwame Kesse-Adu's own experiences in detention or even of himself as a former close associate of both the ex-President and the late Dr. Danquah. For he draws upon all these experiences for his book which therefore deserves attention.

As a veteran journalist, Mr. Kesse-Adu naturally chose to write in the language and style of a journalist, not a novelist or a classicist. Nor should it, indeed, have been necessary for him to have done so.

The poignant and agonising experiences he describes in his book tell their own piercing and eerie tale without requiring embellishments either of style or hyperbole.

It will be obvious also to all who read this book that the author lays no claims to being a political scientist. No attempt, therefore, is made by him to examine the political philosophy, if any, which the ex-President may have had in explanation for the harsh and inhuman treatment which he meted out to his adversaries in detention. This, quite rightly, should be pursued by men with the requisite training and skill; though he does right in drawing the lesson that in any society oppression of dissent can only be ephemeral and dangerous. For, it will be extremely difficult to know the army of converts to the opposition who are driven underground and whose overt defiance is bound to come some day.

Another important service which Mr. Kesse-Adu performs by his book is the character-sketch of some of the leaders of the "old regime" and of the new which he paints. We are offered some insight into some of the personalities who have had some impact on our national fortunes and those who are destined to influence them in future.

The events before the enactment of the PDA which the author describes are also worth recording if only because, as mentioned already, the author knew Kwame Nkrumah more intimately than most people to whom a character-sketch of the ex-President's early political life will continue to excite interest.

Without doubt, many readers will be particularly interested in the events leading to the formation of the NLM. And Historians, Economists and Political Scientists will particularly, I am sure, want to pursue the observation which the author makes of the movement's fortunes and why, in particular, the movement's own slogan constituted its own most embarrassing electioneering ensign.

Mr. Kesse-Adu deserves the congratulation of everyone on his effort.

T. D. BRODIE-MENDS

MINISTRY OF INFORMATION

Accra, January 1971

IN MEMORIAM

J. B. DANQUAH
(*Barrister-at-Law*)

Ref: No. 497/8/61.
Phone: 63030.

P.O. Box 15,
Accra.
20th September, 1961.

Their Excellencies,
The Presidential Commission,
Flagstaff House,
Accra.

Your Excellencies,

The enclosed is a letter sent by me last week to the *Ashanti Pioneer* to congratulate Mr. Kwame Kesse-Adu on an article he wrote in that paper on the Rule of Law.

Information has reached me that on Monday the 11th September, the Editor got it set for publication in the issue of Tuesday, but it could not be done because one Mr. Asare went to Progress House, where the *Ashanti Pioneer* is printed and published, with a letter from the Minister of Information to the effect that he was to control the paper, and my letter was objected to by him. He also objected to the reproduction of a speech given by Mr. J. W. Tsiboe, proprietor of that paper at a sherry party at the Ambassador Hotel, Accra, on the occasion of the 22nd Anniversary of the *Ashanti Pioneer*.

In consequence of Mr. Asare's use of his power in that direction, that paper was unable to come out on Tuesday and I believe on Wednesday as well.

I felt quite certain that neither you personally nor the Minister of Information could have intended the Minister's directives to be applied in that manner. But that such a thing can happen in our country is making Ghana a horrible place.

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J. B. DANQUAH
(*Barrister-at-Law*)

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I felt quite certain that neither you personally nor the Minister of Information could have intended the Minister's directives to be applied in that manner. But that such a thing can happen in our country is making Ghana a horrible place.

This happened when you were the Presidential authority of Ghana and that is why I desire to make you personally aware of the fact that my article was suppressed in the period of your authority.

Believe me to be,
Sir,
Yours very truly,
(Sgd.) J. B. DANQUAH.

c.c. The Hon. Sir K. A. Korsah, K.B.E.
Chief Justice,
Supreme Court,
Accra.

" The Hon. K. A. Gbedemah, M.P.
Minister of Health,
Accra.

" The Hon. Minister of Information,
Ministry of Information,
Accra.

" The Editor,
Ashanti Pioneer,
Kumasi.

J. B. DANQUAH
(Barrister-at-Law)

File No. 462/8/61
Telephone: 63030

P.O. Box 15,
Accra.
8th September, 1961.

The Editor,
Ashanti Pioneer,
Kumasi.

Sir,

Thank God that Ghana has produced a jurist without the law, in the person of your columnist, Mr. Kwame Kesse-Adu.

His *Discussion of Mr. Justice Ollennu's Learned View on the Liberty of the Subject* raises him to the level of a high publicist in ethics, a height to which John Stuart Mill himself was happy to aspire.

I have always been hopeful that the Ghanaian would be able to deliver the goods in due time, but for a Ghanaian who has never studied law or moral philosophy in any school, college or university to pen the following among other things is altogether superb:

"If the state . . . fails to protect the liberty of the subject, the state itself offends a moral code, and it is difficult to assess whether the citizen who is found guilty without trial, is more guilty than the state which failed to prove its case before a constitutionally established court of law that the individual is guilty according to the law of the land."

What, in brief, our countryman, Mr. Kwame Kesse-Adu, is saying is that the Rule of Law belongs to a code higher than any law written by man. It is the world's ethical code or, if you like, God's law, the law of reason, the command of moral duty or obligation, what Immanuel Kant called the 'categorical imperative.'

Aristotle long ago put the same idea in his *Politics* as follows:

"He who commands that law should rule may thus be regarded as commanding that God and reason alone should

rule; he who commands that a man should rule adds the character of the beast."

Quite recently, Mr. Charles S. Rhyme, President of the American Bar Association put the same idea in the following words:

"What do we mean by freedom under the law? We mean acknowledgement of the fact that there are moral limitations on civil power. We mean that human beings have rights, as *human beings*, which are superior to what may be thought to be the rights of the state or of society."

Again, the most venerable A. V. Dicey, father of British Constitutional history, did say this: Rule of Law "means in the last resort the right of the judges to control the executive of government". (*The Law of the Constitution*: 401, 2nd ed.)

The learned judges who reject the idea that any member of the executive is above the law, do so from the concept long ago developed by Aristotle, and upheld by Dicey and by Rhyme, and which was recently emphasised by Prof. Frank E. Cooper, Professor of Law, University of Michigan, who pointed out that the abuse of that principle (now enunciated for us in Ghana by our own Kwame Kesse-Adu) results in "a tendency toward government by men, and not by law".

I do hope that when in future our Nigerian and other friends point a finger at us, saying we in Ghana do not understand the absolute meaning of the moral ideology called the Rule of Law, we would be in a position to retort that they have probably not read Ghana's non-lawyer and moral philosopher, Kwame Kesse-Adu, on the subject.

Yours faithfully,
(Sgd.) J. B. DANQUAH.

Chapter I

In August 1947, at Saltpond, the United Gold Coast Convention was founded by a group of the intelligentsia led by the late Dr. J. B. Danquah. Its principal policy was to rekindle the struggle for self-government "in our time". An Nzima businessman, Pa Alfred Grant, was elected President. For two years, the UGCC took the country by storm and roused the people to a new consciousness of self-determination. It became "The Peoples Organisation" because it had no rival. But this was not to continue for long. By 1947, Kwame Nkrumah, then a student of Philosophy in America, had come to Britain to pursue a law course. He was more successful as a political agitator.

On the recommendations of one of the members of the Steering Committee of the UGCC, Mr. Ako Adjei, Nkrumah accepted an invitation to return home to become the General Secretary of the UGCC. His passage money of £100 was sent to him by Dr. Danquah. Nkrumah was a likeable man with a pleasing personality. He easily made friends. Because of his youthfulness, the younger members of the Convention drifted towards him. It was difficult to get the other leaders, since they were almost always engaged in their law business in Accra, or in other professional pursuits.

Nkrumah formed the CYO (Committee on Youth Organization) and established a political newspaper known as the *Evening News* in Accra. Nkrumah's founding of the CPP in June, 1949, was the final act marking his secession from the UGCC. All indications showed that Nkrumah was bent on stealing the show and the limelight from the founding members of the UGCC. From outside the Convention he had the active support of an Accra businessman, Mr. K. A. Gbedemah. Efforts to repair the break and patch the breach failed. One of

the most popular members of the Executive, Mr. William Ofori Atta, spoke to the youth in Kumasi on the platform of the Committee on Youth Organisation (CYO) but the avalanche of opposition to the elders was not stemmed. Nkrumah himself was not to be placated with promises of higher and improved conditions of service. In the course of the political melee the leaders of the UGCC were discredited almost everywhere in the country.

The success of the Convention People's Party was due to the fact that the country was already organised. All that Nkrumah did was to persuade the existing branches of the UGCC to switch support from the Convention to the CPP.

In the course of this call to switch sides, branches of the Convention went to the CPP with their books, money and membership.

The cause of the breach was a disagreement on strategy and political priorities between Nkrumah and the Steering Committee of the United Gold Coast Convention. Nkrumah was revolutionary and an agitator. The leaders of the UGCC were liberals who wanted self-government by stages in order to prepare the country and the people for the final responsibilities of independence.

But Nkrumah wanted political power "now". The UGCC leaders called for prudential restraint, but Nkrumah was impatient. So they came to a parting of the ways. The mood of the time was largely on the side of immediate self-government.

Positive Action

I became involved with Nkrumah during the United Gold Coast Convention days. I used to assist in typing correspondence during my leave. I was then representing the *Pioneer* in the Wassa area.

In 1949, he and Mr. E. K. Dadson came to see me about managing a newspaper for him. It was the *Morning Telegraph*. I accepted the offer and resigned from the staff of the *Pioneer*. I became the Business Manager and columnist of the *Morning Telegraph* with Mr. Kwame Afriyie as Editor. I was a foundation member of the CPP and printed its first 2,000 enrolment forms

at the Beehive Press, Poasi Road, Sekondi. I registered as number 9 but came on the register as a little over 1,000. I and several others africanised our names and got rid of cumbersome foreign names. We sincerely believed that we were fighting for our country.

Then in November of 1949, as Nkrumah, Gbedemah and Botsio and other party bosses were passing through to Nkroful, Nkrumah's home town, to be nominated by the Nzima area to represent the chiefs at the Joint Provincial Council of Chiefs at Dodowa, Nkrumah came over and looked at the dummy of the previous day's paper. We had a permanent slogan "SG 1949". He changed this to "SG now". I asked him why. He replied that the "masses are gullible, they won't know the difference". It was true. Nobody questioned the change from "SG 1949" to "SG now".

But this was the first action which troubled my conscience. I realised that Nkrumah would have no compunction about deceiving the people. Then 1950 came with its intensified agitation.

In January, 1950, the CPP National Executive decided to call a General Strike and Positive Action to force Britain to grant "SG now". On the 5th of January 1950, Mr. E. K. Dadson and Mr. Ashford Nkumsah returned from Accra with a copy of a telegram which was to be sent to all branches of the CPP and several organisations abroad. Mr. Nkumsah and Mr. Dadson were nearly killed on the way when their car was involved in a serious accident.

I immediately met Mr. Anthony Kobina-Wood and Mr. Pobee Biney, the leaders of the Railway Employees Union on the matter. We consulted other people like Nana Kwabena Nketsia and Father Seifa. It was decided that the telegram should be published on the 6th, calling for General Strike and Positive Action on 7th and 8th January respectively.

The next day I was arrested by one Superintendent Bowland. My assistant, Mr. Sipah Ackah, who had sent a telegram to Reuters, was also arrested. Later we were released by the Police but I reported to them the next day in the company of Mr. J. Kwesi Lamptey, who had then arrived from Britain.

The entire twin city of Sekondi-Takoradi was astir with the fever of expectancy. Then suddenly, in the afternoon of the 7th of January, Nkrumah sent me a telegram, copied to the Governor and other bodies, charging that I had declared Positive Action "prematurely. You are responsible for the consequences".

A big crowd had gathered at the Optimism Club. They sent for me. I read Nkrumah's telegram to them and they were so surprised that they appointed a delegation of three—myself, Mrs. Hannah Cudjoe and Sipah Ackah—to go to Accra and tell Nkrumah "to get on or get out".

I had to disguise myself in an Hausa gown and turban. We met Nkrumah relaxing at Mr. Gbedemah's home, which Gbedemah was sharing with him at Adabraka. It was a small damp place and quite different from the palatial Peduasi Lodge at Aburi. Nkrumah accompanied us to Kimberley Avenue Party Headquarters where he wrote a letter telling the people of Sekondi that "Positive Action is a means to an end but not an end in itself".

At Kimberley Avenue were delegates from Ashanti led by Mr. Krobo Edusei and Mr. Bediako Poku. Mr. Dzenkle Dzewu was also there. These and a group of other delegates threatened Nkrumah that if he failed to declare Positive Action in Accra he would be deposed. Nkrumah had already given his word to the British Governor that he had no idea of declaring a general strike. What he wanted was that there should be a delimitation committee to demarcate boundaries of constituencies. "Positive Action" was to demand the setting up of a Constituent Assembly and for SG to be handed to the people and their chiefs. In the end Nkrumah was practically dragged to the West End Arena, where he had asked that the declaration of Positive Action be changed to "The New Phase". But the leaders of the CPP would have nothing of this double talk. With Mr. Dzenkle Dzewu and others standing by him, he at last declared Positive Action. The same night he was brought to Sekondi where he declared Positive Action, at Essikado and at Takoradi. For the second time I had my doubts about Nkrumah.

Positive Action led to the imprisonment of Nkrumah, Mr. Ashford Nkumsah and several other leaders of the CPP. The Editor of the *Morning Telegraph*, Kwame Afriyie, was imprisoned for sedition. I then took over the editorship of the

Telegraph and the management of the paper. The government introduced censorship.

Following the censorship, Lt.-Col. Hooting, a lawyer and the then Head of the Police in the Western Region, went to the House of Nana Nketsia, Omanhene of Essikado, a staunch supporter of Positive Action. He ordered the chief to "come with me within five minutes". Nana Nketsia retorted "get out of my house within five minutes". Lt.-Col. Hooting then ordered the Police to arrest the chief. A struggle ensued between the servants and the Police. The Police damaged the chief's wireless set. The entire room was turned upside down as the Police searched the place. It was a pathetic sight.

Mr. Pobee Biney and I went to pay our respects to the chief. Immediately we reached the area, armed Police surrounded us. They would not let us enter the chief's house. We dared them to shoot and we entered the house. Nana Nketsia had then been arrested. The next day he appeared before the District Magistrate's Court presided over by His Worship Van Lare. Nana Nketsia was remanded in custody at Accra.

The Joint Provincial Council of Chiefs was informed by delegates from Essikado. The Okyenhene, Nana Ofori Atta II, was asked to arrange for bail for Nana Nketsia. Accordingly, the Okyeman Council meeting at Kibi to consider the issue appointed the Adontenhene, Barima Kwabena Kena II, to go to Sekondi which was like a besieged city. The court refused bail. Policemen were everywhere. The workers were beaten up and driven into the sea. Then the organisation of the strike went underground. This underground movement was headed by Mr. Enchill, who owned a paints store. They printed a lot of leaflets secretly in the bush, and by the next day the whole twin city was full of leaflets. A general search was conducted, but nothing came out of it. The Police became frenzied. Mr. Collens, the Commissioner of Police, came to Sekondi and summoned me and Kwesi Lamptey to the Police station. He threatened us with everything except hanging.

At one stage, Mr. Bowland, the Superintendent in charge of the operations promised he would help me set up a store if I would quit writing editorials inciting the people. Mr. Kwesi Lamptey who was with me nearly threw his pipe at Mr. Bowland.

We stormed out of his office and immediately went to Optimism Club, where a crowd had gathered. We warned the people not to allow themselves to be influenced. The same evening, I was arrested and forcibly appointed a Temporary Guard. I was taken to the worst area of the town where people were throwing stones at the Police. I was asked to tell them to stop throwing stones, but I refused saying the crowd would neither know me nor know my voice. I was then allowed to go home.

Positive Action cost over 200 workers their jobs. When they refused to resume work after the expiration of the government's deadline, they were sacked. Many of us realised that Positive Action had been misconceived and that it had failed. It did not bring self-government "now". Self-government was realised in 1957—seven years later. The only uprising which was really national and helped in ushering in self-government was the disturbances of 28th February, 1948.

The 1948 disturbances were caused by the callous shooting of unarmed ex-servicemen who were sending a petition to the British Governor. Captain Imray, who was in charge of a detachment of the Police shot and killed Sgt. Adjetei and Atipoe. There was an instantaneous uprising. Stores were looted and foreigners were in danger of their lives. This resulted in the setting up of the Watson Commission. At the Commission, Dr. Danquah produced a plan for self-government. The Commission recommended a gradual move, within ten years, towards self-government. The Watson Commission's recommendations were largely responsible for Ghana's accession to independent status on 6th March, 1957.

Dr. Nkrumah, I believe, was a particularly lucky man. He found the country already organised and he took advantage of the opportunity to ride to power on the crest of this wave.

One of the things which the CPP did was a whispering campaign against the leaders of the UGCC that they had received bribes. It was generally suspected that this rumour was put into circulation by trained agents of the CPP and that it was not true at all. It was rumoured that one Sydney Abrahams, who came into the country to advise on sports gave the UGCC leaders N£50,000. But one may ask if Mr. Sydney Abrahams was advising on sports why should he give money to politicians? Later it was discovered that this particular piece of news was manufac-

tured at the Technical School, Saltpond, by a section of the Committee on Youth Organisation (CYO) as strategy to discredit the UGCC leaders.

I was incensed at the perfidy and deception and decided to leave the CPP. On 28th February, 1950, I sent a letter to Nkrumah in prison resigning from the CPP. I then returned to the UGCC and commenced a speaking campaign against Nkrumah's tactics. In 1951, Nkrumah, Mr. Kwesi Lamptey and Mr. Nkumsah also started a counter campaign against me. They spoke at Winneba, West End Arena, Accra, Asiakwa and Begoro discrediting me. What I used to do was to circulate handbills at places where Nkrumah was going to hold a party rally and to ask him a few questions.

Later, however, Mr. Kwesi Lamptey became thoroughly disenchanted with Nkrumah. We teamed together and established the *Gold Coast Leader*, a daily newspaper. But it did not last long before I left Sekondi. I was offered the editorship of the *Daily Guardian* by Nii Kwabena Bone II, an Accra businessman. I accepted. We founded the "Gold Coast Labour Party" at a meeting at "Progress House" (*The Pioneer's* Head Office), Kumasi, in 1952. At the meeting were Mr. J. W. K. Tsiboe, Managing Director of Abura Printing Works, publishers of the *Ashanti Pioneer*, Mr. Alex A. Kyeremateng and one Mr. Loo, a trade unionist and several other workers' leaders. It was a meeting to discuss a merger with the National Labour Party of Accra, of which I was General Secretary. This merger between the Gold Coast Labour Party and National Labour Party became the "Gold Coast Labour Party". The Trade Union Congress campaigned against the Party. Some British officials promised vans to the new party.

Mr. Kofi Amponsah Dadzie, Mr. Da Nyame, executive members, and myself quit the Labour Party because we did not want to be privy to any dealing with the imperialists. But the Labour Party was able to sponsor Nii Kwabena Bone successfully to the Legislative Council through the Joint Provincial Council of Chiefs. Nii Bone was a very popular sub-chief of the Osu Alata quarters of Accra and a successful merchant. He led the Boycott campaign of 1948 against alien goods and was crowned "Boycotthene".

It was at this period that the *Daily Graphic* was established. The African Press launched an anti-white press campaign with myself and Mr. Jimmy Markham as Joint-Secretaries. We held several rallies at the Merry Villas and spoke against the establishment of the white press because of the fear that all the African newspapers would be "killed". 1951 was anti-white Press year.

The African Press asked the Government to give loans to the Gold Coast Press to improve their techniques. This failed. They then, the *African Morning Post*, *Spectator*, the *Echo*, *Independent Weekly* and the *Daily Express*, entered into a joint partnership as the Amalgamated Press. But the Amalgamated Press, then headed by Mr. George Clement, a leading newspaper proprietor, failed.

Mr. J. W. K. Tsiboe refused to join the amalgamation, so the *Ashanti Pioneer* survived. Established in 1939, it is the oldest daily newspaper in the country. One of the country's leading newspapers then was the *Gold Coast Observer* edited at Cape Coast by Mr. Hayfron Benjamin. It had regular contributors like Kobina Sekyi, Mr. R. S. Blay, Mr. Magnus Sampson and Dr. Danquah, then writing under the pen name of "Fara Abrahams" who wrote constantly for the paper.

There was also the *Ghana Statesman* edited by Mr. M. K. Apaloo. One of the most popular columns was the "Black Pimpernel" the pen name of Mr. Edward Akufo-Addo, a leading lawyer who was known as the "harmless politician" because of his hatred for violence. He is now the President of Ghana.

The UGCC published the *Talking Drums*. It was edited by that erudite journalist—the late K. Y. Attoh. It was famous for its plain speaking and cartoons against the CPP and Nkrumah. *The West African Monitor* was also published in Cape Coast at that time. It was founded by Mr. de Graft Aidoo.

The Editor of the *Monitor* was Mr. Gyebi, who was assisted by Mr. Joe Welsing. Mr. Brodie-Mends was a regular columnist.

Chapter 2

Quite apart from the strategic reason of trying to oust the Steering Committee of the UGCC at Saltpond, Nkrumah also indulged in a fanfare of semantic propaganda by accusing the leaders of the UGCC of not wanting self-government soon enough.

The UGCC policy of self-government was based on the resolution "to ensure by all legitimate and constitutional means that the control and direction of affairs of this country shall within the shortest time possible pass into the hands of the people of Ghana and their chiefs." To this, the CPP and Nkrumah replied with the promise of "Self-Government in 1949". But as 1949 was drawing to a close without self-government, Nkrumah changed the slogan to "SG now". Self-government, in fact, came ten years later in 1957—after the foundation of the UGCC in 1947.

But it should be remembered that in the political battle which ensued between "S.G. now" and "S.G. within the shortest possible time", the CPP leadership believed that the UGCC leaders were philosophising, whilst the CPP-ists were realistic "radicals", or positivists.

In February 1951, after the CPP had captured the polls and the UGCC were only able to send two of their stalwarts, Dr. J. B. Danquah and Mr. William Ofori Atta, to the Legislative Council, the UGCC shifted gears and merged the UGCC with the National Democratic Party headed by Mr. Nii Amaa Ollennu who had the backing of men like Dr. Nanka Bruce, a medical practitioner of considerable prominence in the Ga Adangbe area. The merger became the Ghana Congress Party. The GCP, which appointed Mr. Saki Scheck as General Secretary, was tolerably popular, particularly in the Akyem Abuakwa area, parts of the Volta Region and parts of Ashanti.

The GCP was bedevilled by a struggle for leadership. This

struggle was at first very keen between Mr. Ollennu and Dr. Busia. Dr. Danquah had always remained in the background and had been regarded as the spiritual leader of the opposition. Towards the close of 1953, Mr. Ollennu said "good-bye to politics" and joined the bench as a High Court Judge.

The maelstrom of the leadership struggle became even fiercer between Dr. Busia and Mr. Emmanuel Obetsebi-Lamprey. In the end, Mr. Obetsebi-Lamprey took a final decision and formed the "Nationalist Party".

Both leaders were immensely popular. Dr. Danquah faced a decision-crisis as to which group to swing his support, but this was decided for him when the Eastern Region Branch of the GCP decided at Koforidua that it would not switch sides but would remain with the GCP which was the Busia side.

The Nationalist Party had a distinctly Ga flavour, and it was not able to make any impact outside Accra. It was saved by the formation of the National Liberation Movement on September 9, 1954, in Kumasi.

The Ashanti farmers had taken objection early in 1954 to the policy of the CPP-orientated United Farmers Council which had offered 12s. out of the producer price of £4 to the Government as a gift. The Ashanti farmers demanded a cocoa price of £5. This quickly became a political "prairie fire" and all the cocoa growing areas were aflame with support for the Ashanti demand.

The National Liberation Movement gained immense support when it called for federation. This call, for some time, alienated the support of the littoral where there was little or no cocoa. Curiously enough, the Manya Krobo areas, where there were large numbers of cocoa farmers doing migrant farming all over the region, joined the struggle.

The bastion of the struggle was in Akyem Abuakwa in the areas outside Ashanti. In the course of time, a young Sunday school teacher roused a greater proportion of the Ga area with the slogan "Ga Shifimo Kpee" which called for a crusade of "Ga for the Gas". The youngman, Mr. Attoh Quarshie rallied the Gas to his banner and in a few months Accra was shaking under the weight of his organisation. He used an evangelist style organisation through the use of the Bible and the singing of hymns on political platforms.

The Northern People's Party led by Chief Simon Diedong Dombo, Douri-Na, had secured 12 of the seats in the North during the 1954 elections and Mr. S. G. Antor had roused the Volta Area to national consciousness through the Togoland Congress. With him from the Togoland area was Mr. Ayeke and Mr. Modesto Kwasi Apaloo who had formed the Anlo Youth Organisation. Under the transitional Constitution of 1954 which increased the number of Constituencies from 84 to 104 and provided for the office of Prime Minister, the result of the 1954 elections were as follows:

Northern People's Party (NPP)	..	..	..	12
Moslem Association Party (MAP)	..	..	..	1
Anlo Youth Organisation	..	..	..	1
Ghana Congress Party (GCP)	..	..	..	1
Togoland Congress	..	..	..	2
Independents	..	..	..	16
CPP	..	..	..	71

Mr. Dombo, a Minister in the present government, was the leader of the Opposition in Parliament. He was then the spokesman of the opposition elements in the country. The country was then full of fractious and factious political groupings. Although all the opposition elements attended NLM meetings, a cohesive policy had not been established until the Government passed the Avoidance of Discrimination Act.

The NLM and Allies group was formed in Kumasi Asanteman Council Hall. The organisation sufficiently shook the Government to the extent that the Government promised an increase in the cocoa price. But the floodwaters of the campaign had already watered the political soil and the seed of effective opposition had germinated.

The opposition sent a delegation to Britain and Sir Allan Lennox-Boyd came to Ghana in 1956. By 1956, the deferred SG or internal self-government which had been granted the country by 1954 was on the way out. But the elections of 1956 failed to give Dr. Busia and his group the necessary support. The Government won 72 of the 104 seats. With only 32 seats to its credit, the NLM went into opposition.

On 6th March 1957, Ghana became independent. With power transferred to the Nkrumah government, and under the Governor-Generalship of the former Governor, the political affairs of the country went from bad to worse. The opposition was harrassed to the extent that its strength in Parliament was decimated.

The Government started to preach political detention and this was encouraged by the Prime Minister, Dr. Nkrumah and members of his cabinet. By 1958, after the passage of the Preventive Detention Act, the first batch of political detainees, all of them opponents of the Government, had been sent to various prisons without trial. It was the beginning of the politics of absolute power in Ghana.

Why Opposition Lost Elections

The Opposition Party went under many changes of name after the great schism which broke the United Gold Coast Convention. The UGCC had joined hands with the National Democratic Party and other smaller political groups to form the Ghana Congress Party. But by 1954, the great political upsurge in Ashanti had considerably inundated political opinion and another metamorphosis in political thinking took place. Before this, the Ghana Congress Party had been split into two with one side led by Mr. E. Obetsebi-Lamptey who formed the Nationalist Party. He also established a newspaper, *The Nationalist*, edited by Mr. Akrong Nabi. But its influence was limited to mostly the Ga Mashie area. In course of time it dwindled and died a natural death.

At this time the National Liberation Movement had been formed. The Congress Party had failed to win any seats in the National Assembly with the elephant as its symbol. At this time the Northern People's Party had made a triumphant entry into Parliament with 12 members led by that veteran politician Chief S. D. Dombo. Both the Anlo Youth and the Togoland Congress had returned candidates to Parliament and Amponsah Dadzie had won an election petition and had also entered Parliament. It was a great political battle which he fought with Mr. N. A. Welbeck for the Cape Coast seat.

the Kibi Executive Council discussed the matter with Dr. Danquah and the chiefs persuaded him to abandon his action.

In the 1956 General Election, Dr. Danquah was asked by the people of Abuakwa North—Begoro, Kwabeng—to stand election in that area. This was a very pro-Danquah Constituency. His opponent was my former schoolmaster, the late Mr. C. E. Nimo. The organisation of the National Liberation Movement in Akyem Abuakwa at the time was very strong. There was every hope that at least the NLM would win four of the five seats in the traditional area. In view of the uphill nature of the CPP campaign, Nkrumah toured the area and attended rallies at Begoro, Kwabeng, Kibi, Anyinam and went as far as Takyiman, in the heart of Abuakwa forestland. On his return from Kwabeng rally in June 1956, one of the organisers who was touring the Abuakwa North Constituency with me, Mr. Attah, spat into the face of Nkrumah from anger. He was later jailed for four months at the Koforidua Magistrate Court. The NLM and Allies won 32 seats and the CPP 72 of the 104-seat house. Dr. Danquah lost by 403 votes.

The Opposition had always been accused of lacking in organisational ability. This charge was not correct. I had been in charge of Abuakwa District of the Opposition party and later took over as Eastern Regional Secretary of the UGCC, the Ghana Congress Party, and later the United Party. The NLM national Secretariat was headed by Mr. R. R. Amponsah. Mr. Amponsah is one of the best political organisers in the country. The NLM had the funds and the vans and the moral support of the people. The failure to capture enough seats to form the government was due to the rigging of the elections by the CPP Government.

Nkrumah refused to appoint an independent Electoral Commission. Representations were made to the Government to revise the election procedure, but the Government turned this down. Under the system, two ballot boxes were put in a room. The regulations provided for the search of voters but this was very risky because in case of failure to find any incriminating evidence, one was liable to be sued for damages in court. So this provision was rarely, if ever, invoked, particularly, in the rural polling stations.

There was a great deal of difficulty in recruiting polling assistants. It so happened that in some instances the opposition candidates had no agents at the polling stations. At the count it

was often discovered that the votes cast were more than the number of registered voters. The reason was that more ballot papers were issued out to party activists who walked into the polling booth and dumped them into the ballot boxes.

Sometimes as many as five bunches containing single ballot papers lumped together were found in ballot boxes at the Counting Station. This was often challenged but the regulations did not provide for such cases. In some cases new polling stations were opened without the knowledge of opposition candidates, so that there was no control at such polling stations. In other cases candidates' agents were refused permission to accompany ballot boxes which were being transported to Counting Stations. There were complaints that on the way some of the boxes were opened and ballot papers switched. One of the most common tricks was the sale of ballot papers.

An agent would sit in a particular house with a bag of money. Voters would go to polling stations and after having received their ballot papers they would enter the polling booth but would not cast the vote. With the ballot paper hidden in their pockets they would go to the "receiving house" where they would exchange the ballot paper for say N¢2.00. Trusted agents would then be given the ballot papers when they went to vote and the extra ballot papers purchased from voters would be dumped into the ballot box.

Perhaps the worst demonstration of apparent disregard for law and fair election was the presidential race in 1960. The Okyeman Council then headed by a new Okyenhene, Nana Amoako Atta, asked J.B. not to contest the elections but he refused.

All the tricks enumerated above were practised on a very large scale during the election. In some areas in Ashanti, some members of the Workers Brigade took away the UP ballot box for Dr. Danquah, the candidate opposing Nkrumah. In most constituencies, the polling stations were supplied with either one box or the UP box was tucked away in an inconspicuous corner of the polling booth, so that a voter had to put his ballot paper into the CPP box whether he liked it or not. People were detained for possessing opposition party symbols. It was an interesting and remarkable election. Nkrumah won by nearly 98 per cent. It was significant that barely six years later the people who were said to

have voted so overwhelmingly for him rejoiced at his overthrow and pulled down his statue in front of Parliament House.

The Opposition's Dilemma

For 20 years the opposition parties faced the dilemma of leadership wrangles. One of the bitterest struggles was between Dr. Busia and Mr. Obetsebi-Lampitey.

In the early 1950s, there was this struggle between Mr. N. A. Ollennu and Dr. Busia. The struggle between Dr. Busia and Dr. Danquah never surfaced. Dr. Danquah was satisfied in playing the role of "father" or "spiritual" leader and he never actually participated in the open struggle.

One of the battles for leadership occurred at a party conference at Labadi in 1952 and another one at Bekwai in 1953 under the chairmanship of Mr. H. R. Annan, then Ashanti Regional Chairman of the Congress Party.

The problem was solved when Dr. Busia was elected Leader of the NLM and also of the United Party. With Busia as Parliamentary leader and Mr. S. D. Dombo, the former leader of the Minority Group, as his deputy, the struggle diminished. Bafour Osei Akoto was the NLM chairman. Dr. Hutton Mills, an Accra medical practitioner, was later elected the Chairman of UP after Bafour Akoto left the political scene when the United Party was formed. Dr. Hutton Mills quit the post and this was handed over to Solomon Odamtten (Blue Blue), an Accra businessman.

The national post went to Accra because the Ga Shifimo Kpee was very strong and it was considered politically wise to give the chairmanship to Dr. Hutton Mills. In an ensuing Municipal election, the United Party Ga Shifimo Kpee won three seats in Accra Central, Wards 6, 7 and 8. One of its leaders was Dr. H. S. Bannerman, and Mr. Attoh Okine, who is still with Dr. Busia.

One of the difficulties which faced the Opposition was the problem of getting a foothold in several parts of the country, particularly in the Central and Western Regions. Apart from Cape Coast in the Central Region and Sekondi/Takoradi in the Western Region, the Opposition had practically no influence in these areas except a pocket of organisation at Swedru formed by a wealthy money lender, Nana Kum of Agona Swedru.

The difficulty was due to the result of the voters' traditional attachment to established governments, because of the patronage they offered, and also because governments had pervading influence which was difficult to counteract in developing societies which had no experience of "government by turns" inherent in the democratic idea.

One Party States

This was the principal problem facing the electorate not only in Ghana but in several places in Africa where the central difficulty was how to change governments peacefully and constitutionally. Most leaders of governments, took the people and country to be their "property". The result had been the creation of uneasy one-party states which were kept in existence by force.

But one-party states are creatures of dissensions, suspicions and accusations of bad faith. I reject the idea that some leaders are divinely preordained to rule to the end of their natural lives. If Africa is to progress towards a democratic civilisation, and if national developments are to be accelerated, there is then the need for mutual faith and trust among politicians whose aim should be the forward march of their countries. Every politician, however popular he might be, starts to lose some of his lustre and allure after two terms in office. If he wins a third term he will be on the defensive because his popularity would wane as a result of the natural desire by people to see change for the sake of seeing new faces and new ideas. In Africa, where the people are denied the opportunity to try or to test the capabilities of other aspiring leaders who had some measure of popular following, leaders in power would be sitting perpetually on powder kegs if they refused to allow popular elections to ascertain the free democratic wishes of the people.

It would be safer for the leaders to face genuine elections rather than organise pseudo-elections and then use the greater part of their terms of office in warding off suspicious attempts at subversion. A good leader who gives way gracefully has the opportunity of returning to power when he had given his opponent opportunity to be put on trial by the electorate to prove his capabilities and perhaps fail to make the grade.

One of the problems threatening African solidarity is tribal nationalism. This defect has crept into national politics. Even enlightened people tend to forget that they belong first of all to the larger community of the nation, and that membership of tribe or ethnic origin must not be allowed to influence national development. If the tribal or ethnic bias was allowed to permeate national institutions, efficiency would be corrupted by ethnic or tribal considerations, which cumulatively would endanger national solidarity.

Federation

The failure of the call for federation in Ghana during the advent of the NLM was because it was at best, not a serious ethnic political policy. It was, in my view, a political slogan to draw the people together under one standard to achieve a political goal.

The struggle to organise a Federal Union in Ghana was inspired by what was called "cocoa politics". At the time the world price for cocoa was very high. But in spite of this boom, the Government had pegged the price of cocoa at £4 per load of 60 lb.

The pegged price was out of all proportion to the world price and the farmers of Ashanti started agitating for increase in the producer price. To make matters worse, the United Ghana Farmers Council under the leadership of Mr. Martin Appiah-Dankwa, decided at a farmers' congress to reduce the price of £4 to £3. 12s. by offering to the Government 8s. as the farmers' contribution to the Development Fund.

The farmers at several meetings all over the country demanded at least £5 per load of cocoa, but the Government refused. The demand for Federal Government was therefore partly based on economic considerations.

What perhaps made the farmers angry was the fact that development was concentrated in the big towns, whilst the rural areas were neglected. The farmers also contended that they were not consulted before the resolution was passed by the Farmers Council to reduce the price.

In addition to the economic basis for the demand for Federal Government, there was also the political side. It would be recalled

advocating for federation were campaigning for the dismemberment of the nation through secession.

The first step of the CPP Government was to disestablish the Regional Assemblies which had been set up under the Constitution. The NLM executive took the matter to court. But the court found against the NLM and her allies which had then merged into the United Party. Three years later Nkrumah introduced his Constitution of 1960 which did away with Regional Assemblies and whittled down the power of the chiefs. Under the 1957 Constitution, chiefs were heads of regions and the Asantehene was head of the Ashanti Region.

Under the 1960 Constitution, the President only made a declaration of certain fundamental principles. One of these principles was that "chieftaincy in Ghana should be guaranteed and preserved" but except declaring that "Freedom and Justice should be honoured and maintained" the Constitution had no Human Rights clause.

It was clear then that the fears of the proponents of the federal idea were justified, for Nkrumah had power to dismiss any member of the Armed Forces, had power to grant loans and later inform the National Assembly and had power to expend monies from the Contingencies Fund and special powers were conferred on him under the Constitution. He was not obliged to accept advice tendered by any other person.

Nkrumah arrested his opponents under the Preventive Detention Act and established a one-party state. The elections held to usher in the one-party Parliament were nothing short of a farcical drama.

By the time the country became a republic in 1960 Ghana was almost the property of Dr. Nkrumah. His slogan was that the "CPP was Ghana and Ghana was the CPP". And upon this basis he began to convert every Ghanaian into the fold of his party. Those who refused to join were forced; there was extortion and membership fees ranging from N¢4.40 to N¢10.00 per person were charged. Members of the opposition crossed the carpet of Parliament to the Government side. And by 1961 the original opposition bench of 32 members had reduced to about five members. By the first week of October, 1961, the opposition bench was substantially cleared of its membership when on

3rd October 1961, 50 leading members of the opposition and of the Railway Union were detained.

Nkrumah had travelled to the Eastern countries and had left a powerful Presidential Commission in charge of affairs. At this time, the implacable Railways Employees Union had declared a strike, calling for better service conditions. The CPP Ministers had sent a cabinet delegation to Sekondi to meet the workers, and a cabinet committee under Mr. Aaron Ofori Atta and made up of Mr. Egala, Mr. Bing with Mr. C. C. Lokko as secretary had been set up to control Press publication of the strike.

Newspapermen were summoned to the office of the Police Commissioner at Regional Police Barracks where Mr. Geoffrey Bing, then Attorney-General, addressed them one by one. Mr. Bing informed the Press he would not like to prosecute any newspaperman before he retired and he would like the Press to check up all their facts at the Police Information Room before they published anything about the strike.

Meanwhile, the strike of the railway men was spreading and travel by train was paralysed. The railway men began to contact politicians. Dr. Danquah and the executive of the United Party were contacted, but it was decided that the United Party could not associate itself with the strike. On the next day, Dr. Danquah was so moved by the plight of the strikers that he took opportunity of a professional visit to Sekondi to speak to some of the workers. Within one hour of Dr. Danquah being in Sekondi, the *Pioneer* office in Accra was contacted by "SB" intelligence men and I was asked whether I knew what Dr. Danquah was going to do at Sekondi. I refused comment.

It would be recalled that by this time as a result of the report of the Granville Sharp Commission, Mr. R. R. Amponsah, General Secretary of the NLM and Major Benjamin Awhaitey of the Army had been detained. They were charged with planning subversion by attempting to organise a coup d'état.

On Dr. Danquah's return, a meeting was held at his house. In the course of the meeting a man said to be an executive member of the United Party from Osu, Accra, suddenly entered the room where the meeting was taking place. He was a Special Branch Intelligence Superintendent. When the meeting broke up, we realised that the entire area of Dr. Danquah's house was

full of Special Branch men. Some of them were holding special listening devices. This was in September 1961. The United Party Executive then held a Press Conference to deplore the Government's inability to control the strike.

It was apparent that the CPP Government was faced with a very serious challenge and Nkrumah had to return home post haste. With great cunning he sacked the Presidential Commission and reversed several of its decisions. This included a censorship of the *Pioneer*. But three days later the censorship of the *Pioneer* was again ordered by the Government. The paper was very outspoken. In order to keep the interest of the readers of the *Pioneer*, its columnists resorted to quotations from the Bible which were very apt to our situation then. The Government again ordered the Censoring Officer not to allow any more quotations from the Bible!

On 3rd October 1961, the Government ordered the detention of all leading members of the United Party and executive members of the Railway Union. At 6.00 a.m., Special Branch Superintendent, Mr. J. E. O. Nunoo with a detachment of policemen came to arrest me at my Adabraka home. I was told the President wanted to see me. But I found it very amusing that a detachment of policemen had been sent to summon a newspaperman to the Flagstaff House. However, instead of sending me to the Presidential Palace at Flagstaff House, I was lodged at the Nima Police Station. The Superintendent excused himself saying that he was going for instructions.

I took the telephone and spoke to the Commissioner of Police, Mr. E. R. T. Madjitey. He said he did not know anything about my being there but I should enquire from the Cabinet Secretariat. I telephoned to the Flagstaff House and I was told to hold on for particulars. Thirty minutes later, Superintendent Nunoo returned with tears in his eyes. He formally told me I was under detention.

Then another police jeep arrived and Mr. P. K. K. Quaidoo, a former Minister of the CPP Government, was deposited at the charge office. Mr. Quaidoo had lambasted the socialist policy of the CPP Government in Parliament the previous week. He had described Mr. Nkrumah's policy of Socialism as a misconception of an ant viewed from a microscope as an elephant.

Although the position was tragic since almost all the leading members of the opposition were on the list of those to be detained, I found some consolation in the fact that Chief Dombo, Mr. B. K. Adama, Mr. William Ofori Atta, Mr. Jatoo Kaleo and Mr. Koi Larbi were not included on the list of 3rd October, 1961. In the morning of 2nd October, Dr. Danquah had asked me to see him in the evening. He told me that Amponsah Dadzie and Oheneba Kow Richardson had arrived from Cape Coast during the night having slipped out of the dragnet of the Special Branch. It was decided to assist them to leave the country to join Dr. Busia abroad.

It was a very difficult task because all the roads had been blocked. Through the help of friendly contacts, they arrived at Lome, after having been involved in a very serious accident on the road with their car.

At 1 p.m. on 3rd October, Mr. Quaidoo and I were put on a Police jeep to take the first tragic step towards the Medium Security Prison at Nsawam. Before boarding the lorry, I wrote this short letter to Dr. Danquah; "My dear Uncle, at last my turn has come. I understand you may be taken soon. Let the people of Ghana know we are sacrificing for them. With me is Mr. Quaidoo and we hope to meet you at Nsawam or at home after five years". The Police promised to hand this letter to him. It never reached him. It was put on my police file.

As we boarded the jeep, journalists who had come to the Police Station including an American newspaperman Mr. Mahoney, wept and waved white handkerchiefs. Even the Police including Mr. Nunoo and a sergeant wept. I smiled and told Mr. Nunoo: "Perhaps when we return we shall make you Commissioner of Police." It was the Mr. J. E. O. Nunoo who later became the Commissioner of Police Administration and a member of the NLC regime.

When the Police jeep which was carrying us to Nsawam reached the Liberation Circle, we saw a mammoth crowd of several thousands, around Dr. Danquah's house. The Police with rifles had encircled the House.

At Nsawam, Mr. Quaidoo and I were received by a rather serious looking warder, who asked us to undress. After having undressed, our possessions were checked, folded up and placed

separately in two small khaki bags, each of which was labelled with our names. We were supplied with two yards of hard cloth of a grey colour. This was the sort of dress given to people charged with murder and to lunatics.

We were served with very hard kenkey and soup made from some leaves. I was very suspicious when I tasted it. The soup did not taste like anything for human consumption and the kenkey tasted like nothing I knew. I tried to refuse to eat it but the warder calmly told me that it would be my food for five years and I had better learn how to accommodate it in my stomach. Mr. Quaidoo was similarly served, but he did not look at it. As we were trying to forget the food, Mr. S. G. Antor arrived. He was followed by Mr. A. D. Apea, Editor of the *Pioneer*. I thought we had a jolly good company. We were all issued with one tarpaulin each about four feet by one foot and ordered "upstairs". We were sent to what was called "association block" with 24 iron bedsteads with very forbidding prospects.

We tried to take a siesta, but the beds were uncomfortable and an escort warder kept peeping through the spy-hole. Some officers kept entering the cell to count us. By 7 p.m. we had been counted by no less than four different officers. By 8 o'clock, there was a great commotion outside. We suspected that the other detainees had arrived. Then we heard somebody quarrelling with the officers. Mr. Quaidoo said it was "J.B.". He had refused to undress. As he entered the cell followed by some railway executive officers, warders kept saying "Doctor, we beg you take your dress off." Finally, Dr. Danquah agreed to undress but used his pyjamas. Before Dr. Danquah's arrival, Mr. Victor Owusu had been brought in. He had been arrested at Nkawkaw. Mr. Joe Appiah who had also been arrested then took to helping the counting of us and assumed the title of "Prefect". The amazing thing was that we started immediately to feel "at home". Some of us began plans to prepare a "prison grape vine" for contacts abroad. Luckily on the third day we were all transferred to the Nsawam Prison Hospital. A doctor came to examine us. After questioning each one of us, we were issued with "special diet"—mainly yam, tea or plantain to enable us to get gradually accustomed to prison life and food.

On 7th October, we started to petition "Osagyefo the President", about our grounds for detention. The grounds for detention which were served on us grouped the 50 detainees into various "conspiracy groups".

The first was listed:

1. Dr. J. B. Danquah
2. Obetsebi-Lampitey
3. Kofi Amponsah Dadzie
4. Kwame Kesse-Adu
5. Oheneba Ekow Richardson.

The grounds for detention read:

"During the month of September 1961, you did join in a design for the subversion of the Government of Ghana presented to you at a meeting held on the premises of Dr. J. B. Danquah in Accra by Ismaila Annan and Atta Bordoh, both now detained, and you did encourage this design and in furtherance of it did act in a manner calculated to endanger the security of the State and to cause the overthrow of the Government of Ghana by unlawful means.

Your detention is necessary in order to prevent you from acting in future in a manner prejudicial to the security of the State."

Obetsebi Lampitey, Kofi Amponsah Dadzie and Oheneba Ekow Richardson were in Lome. They were in active contact with Dr. K. A. Busia, who had been asked by the Executive of the United Party to leave the country some years earlier in order to create a bridge of organisation abroad. We feared he might be detained and were worried about his health at the time.

I described the grounds of my detention as "having been manufactured by a man with fertile imagination" because I did not know Mr. Ismaila Annan or Mr. Attah Bordoh. I made it plain that my opposition against the CPP regime had never been hidden, because through my columns in the *Pioneer*, "The Accra Diary", I had castigated the Government time and again, pointing out its faults and defects.

We spent the greater part of our time, since we had nothing profitable to do, in making representations about our detentions

to "Osagyefo the President". Among some of those detained with us at Nsawam were: Joe Appiah, Victor Owusu, George Kofi Essel, John Annum Asilfie, Alfred P. Biney, Nana Mensah Yiadom, K. G. Quartey, Justice K. Asmah, Vidal Kwami Quist, R. K. Sedoh, J. B. Ocran, Kwame Boakye, J. W. Acquah, K. A. Amano, Ismaila Annan, Atta Bordoh, W. N. Grant, John K. K. Dick, Kofi Imbeah, A. D. Apeah, J. Kwesi Lamptey, G. W. Graves, A. Y. Ankomah, J. B. Bentsil and one Baiden. Dr. Danquah became the centre of information and a reservoir of advice. He undertook to write several of the representations. The Prison Superintendent, one Mr. Allotey, collected them and sent them to the Prison Office.

After we had dispatched the representations, we lapsed into a wasteful life of not knowing what to do with ourselves and our time. To relieve the tedium, some of us took to exercising ourselves and to sunbathing. We even started to learn ballroom dancing, to the utter amazement of some prison warders.

We were supplied with singlets with the inscription "Political Detainee" embossed on them. Some of us were given sandals. Perhaps, what was most annoying was the way they kept on counting us. A bell would be rung and then the warders would shout "INSIDE". At this order we were rushed into our cells like so many sheep to the pen. Then the counting began.

A warder would enter the room and start to point his finger at us, saying one, two, etc. We took to repeating "one, two, three, etc. to the gleeful satisfaction of the officer. It seemed the counting was never correct. Sometimes we were kept in for as long as 30 minutes because "number is not correct." Salvation came when the bell was rung with a big "bang," and the ritual "number correct" would resound. We then emerged from our cells to go about our various affairs.

Then one day, the Director of Prisons came to inspect the place. It was like the day in court when sentence of death was going to be pronounced. We were told to keep quiet. The Director came and inspected us, pretending to take complaints, but woe unto one if one dared to complain about any warder or incident. After the Director had left, we breathed a sigh of relief. Suddenly, we were called, "OUTSIDE". A prison officer came to tell us we had no right to go into any cell other than our own. We

were not allowed to group and talk together. We were not allowed to hold pencils or paper. To do any of these things was a serious offence punishable with "SEVEN AND SIX".

This punishment meant six days reduced diet in the black room. This prison within prison was for "close confinement". It measured about four feet by five feet high. Some prisoners used to be sentenced to the whip of the "cat o' nine tails" but this had been discontinued. The rules permitted a detainee to be chained by his hands and feet and be given a sun bath. You would be taken out and mauled. They would so torture you by simply manipulating your joints until you became a wreck.

One afternoon, Mr. Bentsil, one of the leaders of the railway men, got himself involved in a quarrel with one of the warders. He was tried and found guilty before the Prison Superintendent. The prosecutor was the complainant and the chief witness was the prosecutor. Mr. Bentsil was sentenced to "seven and six". As he did not know the meaning of the term he told the Prison Superintendent: "Please I have no money here. I have one cedi in my property bag. Take it and put back the change!" The Prison Officers burst out laughing. Then it was explained to him he was going to be put in a "detention within a detention". He was horrified. He was taken away. The food in punishment cells was half ration of gari and some salt. Almost everybody returned from "punishment cells" considerably emaciated.

One day we were called out and issued with letter passes. We were told we could write a letter once a month. The letter was strictly censored. No replies to our first letters were ever received. People at home were terribly frightened to receive a letter from detention much more to reply to them.

We received no newspapers but were allowed to read books from the Prison Library. These books had been carefully selected. They were the type of mild fiction books which nursery maids used to read to naughty boys.

Discipline was being stiffened. Sunday services which we held at the yard of the hospital were banned. We were warned not to group together to be lectured. We had a plan whereby Mr. Lamptey would speak to us on some scientific subject and Mr. Joe Appiah on Law.

The attitude of the prison officers towards us became stiffer as time went on. There were all sorts of rumours to explain the new attitude. But we were not to wait for long. Towards the end of October, we were kept in our cells continuously. We were fed like beasts in a cage. Then at 3.00 p.m. on a Sunday, the stentorian voice of the officer-on-duty shouted "outside". Prison officers rushed on us as if we were beasts being prepared for the kill. Our doors were thrown open with loud noises and shouts of "pack your things", followed by "outside all of you", "order"! When we got to the yard, there were heaps and heaps of leg irons and handcuffs. Some of us started to recite Psalm 23: "The Lord is my shepherd" because we suspected the end was in sight and that we were going to be shot. We lined up in threes and fours. Prison officers had formed a cordon around us. Some of them were holding guns. We were handcuffed and told to "march on". Then when we got to the main prison gate, we saw several prison trucks and police cars. It occurred to us that we were being transferred. We were ordered to board the lorries. Escorted by police wireless cars, both in front of and behind our convoy we drove from Nsawam to Accra through Hansen Road to 28th February Road to Ussher Fort Prison. At Ussher Fort Prison which is a full security prison, the familiar procedure was gone through.

Mr. Kwesi Lamptey fainted from sheer exhaustion and he was sent to the Prison's Infirmary. We got to the Ussher Fort, Accra, by six o'clock. But we did not see a soul around the prison yard. All cells had been closed and we saw two imposing storey buildings which were to be our home for over five years.

A senior prison officer came to take charge of us. We were dispersed in fours and threes. Mr. Napoleon Grant and myself were sent to Cell 3 of "A" Hall. The inside was forbidding. It was hot like an oven and the two inmates whom we met were almost naked and were sweating. However we were welcomed in a way which only a human being could best offer in such a situation. We laid our tarpaulins down and put all our earthly possessions—a blanket, tarpaulin and a piece of cloth and prison dress—under a pillow. It was a small pillow, very hard, very dirty and it smelled of hundreds of prisoners who had snored on the pillow and counted their days. In spite of all this

foreboding spectre of misfortunes, one thing consoled me—the floor of the cell was neat.

I asked how come they kept the floor of the cell so neat. I was told they scrubbed it every Sunday and that there were regular room inspections. Soon afterwards we new comers were called out to take our rations. Honestly, I could not touch the food. I was anxious to know where J.B. was and what had happened to Kwesi Lamptey. I put my ration down and sat on the available box used as a stool. This was the toilet box. It was the box in which the toilet can was encased. We took turns sitting on it. Opposite it was the water can, full of water. We slept with the latrine can and the water can in the same room!

I kept getting up to allow one or the other of the inmates of the cell to urinate or to excrete! The others looked on with a courageous careless abandon, and the conversation was carried on without noticing the abdominal fireworks going on two feet away. It then dawned upon me what savagery this detention could be under such uncivilised conditions.

Being the new comer I had to tell them everything that had gone on "outside". They kept asking me "so J.B. too is here, and Joe and Victor?" Then there would be a lull and somebody would take up the questioning: "So Antor too is here, what about Dombo?" I did my best to answer the questions. Finally, one of them blurted out "Thank God Busia is outside, he will work to save us." That was the first consolation, so I went to bed and had the most weird sort of dreams.

At 6.00 a.m. the next day, the familiar bell was sounded with shouts of "latrine pans outside", repeated as often as possible. One of us took the pan outside to empty the contents into a gutter which led to the sea. Then the counting started. It was not different. Our cell door was opened frequently to enable the counting officers to enter. But somehow the number was never correct. So corporals came to count. And then sergeants and finally Yard Masters and Chief Warders. They came with papers, some with chalk; all to do the counting. For nearly one hour the counting continued. The hitch was the new arrivals. At last the "all correct bell" was sounded.

We were allowed to come out of our cells. You can imagine the din that ensued. Everywhere were old friends and everybody

was rushing to embrace somebody. I rushed about to see the cells of J.B. and the other leaders.

To my surprise, J.B. appeared quite cheerful and already his cell was choked with callers. There were old men of about 80 years. There were also young men of about 14 years. All victims of Nkrumah's politics of power.

Some shouted my name "Hi there, Kwame, you were too long in coming". I turned round and there was Bafour Akoto and Richard Tetteh and Osei Asibey Mensah. In fact, I was surprised at the number of people who were there. It had never been announced by the Government that all these people were in detention. I asked about Fred Sarpong, and later met him at "B" Hall.

There was a group of over 40 from the Volta Region led by Mr. K. Dumoga and there was his younger brother, Kwame Dumoga. There was a group from the North and a group from Ashanti. Every region of the country was represented there. It was a truly national community. My initial reaction was to be amused at the callousness of the doctrine of the politics of power. Every conceivable opponent of the CPP Government from every corner of the country, including ailing grandfathers, had been arrested.

Some of them were arrested when they were returning from their farms. They had only one cloth around their loins. Others were picked up from their beds. Some were picked up at the midnight hour through the then familiar midnight knock. The most pathetic were the old men of advanced years who did not actually understand why they were there at all. Some of them said they only quarrelled with the CPP secretary because he took their daughters and refused to pay the dowry. Others said they were just walking along the street with their girl friends, when the Police called them and that was the end. The stories showed a cruel regime totally insensible to the feelings of their fellow human beings.

Three youngmen between the ages of 13 and 14 were taken because they would not go to Young Pioneer meetings. They were detained for over seven years.

Most of the reasons given concerned political clashes with District Commissioners. There was the case of a man who had

had a case involving his family land and he was detained to shorten the course of injustice.

At about 8.00 a.m. the next day, when the whole "A" Hall was full of welcoming ceremonies, the prison superintendent, in charge of Ussher Fort, came for inspection. He either did not like the noise or the apparent "happy faces" of the detainees. He ordered us to be locked up. And for three days we were locked up in our cells, each measuring about six feet by nine feet for four detainees. The warders apparently liked that sort of thing, for as we took turns peeping through the "spy hole"—a little round hole the size of one half-pesewa—we saw the warders heartily enjoying our having been locked up. The sadism of the regime had infected even officials who should be neutral.

At 3.00 p.m. there were shouts of "bath". I wondered what this new thing was. It was explained to me "we were going to bathe ourselves". Cells were opened in fours at a time so that at any one time 16 detainees went to the bath house. But I wondered why it did not take them long to return. When it got to our turn, we had no towels, no sponge nor soap. We were rushed; for five minutes we had to finish bathing ourselves. We had to run to our cells dripping with water. The warders taunted us. "You see where power lies? Book no talk here", they said.

I was shocked to realise that there were some Ghanaians who really did not care about what was happening in the country.

On the third day we were let out from our cells to "take some air". We were also sent to the infirmary to see a doctor. The doctor re-approved our diets.

On the fourth day all the new comers were sent out to "B & C", a part of the prisons, to beat coconut husks into ropes. We were strictly supervised. It was at least something to take away the wastefulness of our lives. This continued for a month at "Basket & Chairs" shop.

There were rumours that detainees from the North and elsewhere were to be transferred to Ussher Fort. We kept vigil. Our eyes were glued to our spy-holes till late in the night each day, trying to catch a glimpse of those who would be arriving.

One night Mr. Attoh Quarshie and the batch of those detained in 1958 in Accra were transferred to Ussher Fort. The reason being that one of them, Mr. Attoh Okine had managed to escape

in the North where he had been detained. It was rumoured that Dr. Busia's underground movement managed to arrange Mr. Attoh Okine's escape because he was sick and dying.

One of the detainees, Oko "Stay Cool" and others arrived suffering from serious cases of chicken pox. They were segregated. We continued to work at "Basket and Chairs", making ropes or "sun bathing" or exchanging prison gossip. For a small community of about two thousand inmates, the amount of rumours and gossip we put out was astounding. There were false scares and false hopes.

Although some of us believed that eventually there would be salvation, we were also practical people to realise that as the iron prison gates were clanged shut behind us, it was for the time being the end of the world. Trouble started one afternoon when we were being marched to "B & C". Mr. Osei Baidoo, now Ministerial Secretary in the present Government, looked at the over 200 people being marched about and declared: "We look like Nkrumah's sheep." The reaction of the prison officers was immediate. He was marched to be charged, and the officers gave us a pep talk. Suddenly one Kwaku Yeboah from Ashanti who had rather controversial views observed whether what Mr. Osei Baidoo had said was not true? He was marched to the Chief Warder's office. It was a short distance of a few yards but it took a long time to get him there. He was slapped all over and manhandled, and by the time he reached the Chief Warder's office, he was bleeding from his ears. When he was taken to the infirmary, the dispenser prescribed a "light diet of water" for him. When Dr. Danquah interceded Yeboah was given some iodine. This incident nearly ended in a prison riot. So we were ordered "inside" and locked up at 2.00 p.m. until 6.00 a.m. the next day. The incident tasted so sour and we reacted so strongly that the Prison Director came and told us the state of the law. We had no chance. We had to take instructions, or we would lose our "privileges".

I personally had no use for privileges and never asked for any. One prison Superintendent particularly took a dislike towards me because "you don't salute me, you don't smile but I have the power to recommend your release". I could only answer, "Is that so?" and he nearly had me locked up at

"segregation"—which was a place where they lock up madmen and put leg irons on their feet, and offer them sun bath after they had been beaten up. There was a small kind of handcuff which had a screw. This was screwed on the hands and they kept tightening the screw until it cut the skin of the arms. Then iodine was put into the sore and the handcuff screwed tighter. You could hear the wailings of the detainees who had been sentenced to this cruel punishment sometimes throughout midnight. It made our blood boil and our anger rise. This Superintendent threatened me with such a punishment. I cursed him under my breath.

As a sequel to our anger against the brutal beating up of Kwaku Yeboah, we were not let out the next day. Suddenly when it was time for rations, instead of sending us our "special food" inside, we were told that we were to go outside to take our food. It was raining. The prison officer stood under a shed whirling his swagger stick. Then he called out our names. When it came to the turn of Dr. Danquah to walk in the rain to the shed to take his food, the prison officer laughed, thoroughly enjoying himself. Mr. Quaidoo, Joe Appiah and all the others walked in the rain for their food, smiling.

The next day the prison officer who had taken a dislike to me came into our "hall" and ordered me to pack up my things. I was being transferred to "up landing". I was marched "up landing" for one hour. Then he came again and said I was being transferred to "westward". So I packed again and was marched to another wing of the prisons. I met Mr. M. K. Apaloo there. The officer saw me joking and laughing with Apaloo. At the time Apaloo was under "restriction". The officer ordered again that I should be transferred to "southward" down. This was the downstairs part of this wing. I was there until about 4.00 p.m. Then he came again and ordered me to return to my original cell at "A" Hall. As I was returning to my friends at "A" Hall, I was given a rousing welcome. The officer came and ordered "all inside". So by 5.00 p.m. we had to sleep instead of 6.00 p.m. because we had dared to laugh openly.

But our worries during the week were not over. At the weekend we were called to see a medical doctor about our "diet". It would be recalled that at Nsawam, we have had "special diet"

recommended by a doctor. This was discontinued by the second Ussher Fort doctor. Apart from Dr. Danquah, all of us were put on ordinary diet. This included gari, plantain, rice, yam, beans, meat, fish, vegetables, groundnut soup, palm soup, with banana and coconut and oranges occasionally. The trouble actually was not with the food itself because these were common Ghanaian staple diets. The trouble was the deliberately revolting way it was prepared.

Take the soup for instance; the groundnut and palm soups tasted more like salted water than soup. These were full of maggots or beetles from the garden eggs or groundnuts. No attempt was made to clean the garden eggs or to obtain fresh tomatoes. If these were dried on the ground, they would be scooped into the soup just like that, so that all the insects were cooked together, "seasoned" with the pebbles and sands.

The soup was full of what we termed "sausages". You could actually see big worms dancing in the soup. The worst was rotten garden eggs, okroes and tomatoes which were used to prepare the soup. The rice was full of black matter or pebbles. I managed to return to civilisation with one of these pebbles cooked with our rice. Nor was the gari any better; it was full of sand. One day, there were so many pieces of wire in the gari that we could not eat it. The situation became worse when we were given red hot pepper, about a tablespoonful, to go along with the gari. It looked fiendish and tasted horrible. Nkrumah had ordered it.

At one stage, for three months, we lived on gari, because the CPP government was broke and there was no rice, so we were told. The net result of this bad food was that we contracted stomach diseases. Two detainees died from these protracted stomach aches.

Then one day, we decided not to have any more gari. We were supported by the criminal detainees at "B Hall" led by Fred Sarpong, who was classified as a "criminal detainee". We refused to eat and we were locked up in our cells. Mr. Joe Appiah led the strike. In the afternoon, the Director of Prisons came and told us we would be given rice. We had rice. We spent our first Christmas in detention. There were tribal drumming and magical displays by the inmates of "B Hall", some of whom

were hardened criminals who knew all the tricks of the world. We had concerts, recitations and tribal dances. On that day, we had full privileges. There were church services and we were free to walk about, exchange greetings with the "criminal block" and enjoyed a certain measure of "freedom".

On other days we had no right to speak to warders or ask them for favours. On Christmas day, we could chat with them freely. And then we had a new Christmas feast—coconut and bread in the morning and coconut to accompany supper.

Chaper 3

The year 1962 was full of rumours. First of all the CPP government issued a white paper on detention in which it accused Dr. Danquah and Mr. Quaidoo of complicity with one Grant in subversion. The radio was our only means of communication with the outside world. One day it was taken away, we understood, on the orders of Mr. Kofi Baako, then Minister of Defence.

The railway workers were brought to Accra to demonstrate in favour of the Government and to condemn those detained. There was another workers' rally at Sekondi Gyandu Park where the workers sent a resolution to the Government on the detained railway men.

During the first quarter of the year 1962, the Asantehene left for the United Kingdom. The same evening, the radio announced the release of some of the detainees. The same day, one dramatic incident took place. The cells were searched in the morning. One particular prison Superintendent who had taken a dislike to us because of his strong CPP sympathies, went to search Mr. Quaidoo. As Mr. Quaidoo refused to submit himself to the ordeal of being very pleasant to him, this officer took away the blanket and other bedding on Mr. Quaidoo's bed, put them on the ground and jumped on them. He cleaned his shoes on them and declared that he was showing him where power was. He then accused Mr. Quaidoo of being one of those responsible for PDA. Mr. Quaidoo for the first time became justifiably annoyed and told the prison officer off. The same evening Mr. Quaidoo was released from detention! On that day most of the railway workers were also released.

As I was sitting in my cell rejoicing over the release of Dr. Danquah, my prison officer non-friend came to me and

said, "hey, because you are a bad boy, Nkrumah did not release you". I looked down at his shoes and instinctively he looked down, then I looked up at his cap, so he took it off and asked me, "what is wrong?" I told him not to forget that one day Nkrumah would fall because Hitler and the other dictators fell. He appeared a little piqued by my answer. The next day he came to the iron gate leading to our hall, with one Yardmaster, who believed in the inviolability of the CPP regime. This Yardmaster—the boss of all the escort warders—scoffed at us and declared, "Go into your rat holes, if the 'Matemeho' comes into power, hang me." The "Matemeho" was the popular name given to the National Liberation Movement because of its demand for federation. It meant "we separate ourselves". This chief warder had the most contemptuous opinion of Dr. Danquah. Just before the release of Dr. Danquah, I was in charge of our underground movement and the operations were not known to any of my colleagues but to Dr. Danquah. We were able to send letters abroad and to some newspapers in America and Britain. Joe and Victor had separate contacts.

One day, as we were trying to send one of Dr. Danquah's petitions "outside", we wanted to be very sure that the ex-President has had his copy before having it published abroad. Our contact man had given the go-ahead. Then suddenly warders rushed into Dr. Danquah's cell and started to search his cell, having been tipped off by prison detainee security men. The only alternative was that Dr. Danquah calmly placed the letter he was writing in his spectacles case and coolly got out of the cell. I was left with a wrapped up copy of the 14-page petition. If this was found on me I was going to suffer with Dr. Danquah. Calmly I slipped it into the pocket of the first officer who entered the cell. The search was short and smart, but fruitless. I saw the officer quietly going out and into his car; he went outside as if he was being chased by a thousand devils. He went and posted the wrapped up parcel addressed to a newspaperman in Accra.

After having got rid of such an incriminating document, he returned and looked at me with a thousand fireworks of hate in his eyes. He never spoke to me but we had information that the petition had reached the proper hands.

The same evening Dr. Danquah's cell was changed. He was put near the gate where we deposit our empty ration cans. It was a very noisy place. In the evening Mr. Osei Baidoo and I went to exchange some views with J.B. As we sat talking, the prison officer who did not like the detainees, came and locked the cell door and kept the three of us in the cell for two hours.

One morning the Senior Prison Officer came and packed some of us to the trades section. I and five others were sent to the Tailoring wing of the Prison to work. Most of the detainees had become very good at sewing prison clothes, particularly jumpers and shirts. The shop had a good view of the sea and it had a "spy window" which looked directly into the office of the Managing Director of the Black Star Line. We used to have a joke of letting a detainee with grey hair stand on a chair and show his head. Then some employees of the Black Star Line would shout "J.B." and we would laugh at this comforting deception.

The tailoring shop was a good place. We were free to do what we wanted. I began to improve my Logic lessons under the supervision of Mr. Kwesi Lamptey. I also had my French text papers sent to me from home. So I brushed up my Latin, French and Logic in detention.

Other detainees took various language lessons by ordering the textbooks from home. Mr. Ato Ahumah was our German teacher. But I gave up German because I found it tedious. I started Spanish with other inmates. I also read the politics of Aristotle profusely. One of the most common books was the Bible which some of us read from cover to cover several times. Some of our best preachers were Mr. Kofi Boateng Busia, Major Ben Awhaitey and Mr. Baah, ex-Methodist catechist.

The tragedy of political detention was made much unbearable by the internal spy ring. This spying outfit was headed by two members of the CPP who had been detained. They employed the most reprehensible methods in fabricating stories to the prison authorities.

The reward for this traitorous betrayal of friendly conversations was "a super special diet", extra privileges and sometimes a trip to town ostensibly to write a "statement" about "detainees planning what they would do after they were released".

The leader of the spy ring was a member of an 80-man strong CPP propaganda men who were detained after Kulungugu. But before him two former members of the CPP had been spying. They had such glib tongues one would think they dined with Ministers everyday instead of being in detention. Their methods were not different from those of the Nkrumah security agents. They would warm themselves into conversations and ask the most innocuous questions. They would then argue strongly in support of Nkrumah. If you dared to disagree with them and stated a contrary view, they would then go into their cells and write a report. They had access to pens, pencils and writing paper. They were supplied with comfortable vono mattresses. Sometimes they had chicken before our eyes. Sometimes they would be served with pawpaw, or fried meat or khebab. They had boiled eggs and extra sleeping privilege, i.e. they slept at 7.00 p.m. whilst we slept at 6.00 p.m. This was to enable them to listen at spyholes to have an idea of the trend of opinion. These free men within the detainees caused considerable unhappiness.

We used to have political discussions—myself, Boateng Aboagye, Kwatelai Quartey, Richard Tetteh and others. One Sunday, after we had returned from a particularly impressive sermon preached by Rev. Welbeck of the Presbyterian Church at our Prisons Chapel, we discussed politics generally. As usual, I was very vocal about Nkrumah's policies. Mr. Kwatelai Quartey became convinced and he promised that if we were ever released he would not return to the CPP. He would steer clear of politics. He was a former Chief Propaganda Secretary of the CPP. He and another propaganda secretary, Mr. Boi Doku and Mr. E. C. Quaye, former Mayor of Accra had been detained. They were all members of the Accra City Council. Mr. Boateng Aboagye was a former senior African staff member of the Ashanti Goldfields Corporation and Mr. Richard Tetteh was Ashanti Regional Secretary of the United Party.

As we sat in one of the cells, someone came to inform us that prison officers were listening in to our conversation from a spyhole from outside the cell. We were also informed that the chief informant was threatening to "teach us some sense". As we got ready to disperse, the prison officer came to the "Hall" and

shouted "inside your cells". We were all "arrested" and after repeated interrogation, Mr. Kwatelai Quartey, Mr. Boateng Aboagye and Richard Tetteh were sent to appear before the Prison Court presided over by the complainant, the Prison Superintendent. After nearly a week of investigations and the writing of statements, they were found guilty of planning "subversion". They were sentenced to 100 days "segregation". These cells were so small you could not stand up in them. You had to sit down cooped up. Since they measured only four feet it was difficult to sleep with your full length stretched. The cells were near to the prison kitchen. This meant that the heat from the steam of the stove permeated the wall of the segregation cell—and they were hot like hell, particularly during the afternoons.

When one was segregated, one was banned from social intercourse, sentenced to half diet, mainly a diet of gari, with some salt. And one had to enjoy this for 100 days. If one was lucky sometimes one had half diet of the main prison meal. Invariably people returned from "segregation" with only their bones intact.

The punishment of our three friends also affected all of us. I was looked upon with suspicion and I was threatened with "wait and see" or "you will see if you don't stop politics".

The entire inmates of "A Hall" running to over 140 detainees were also sentenced to "confinement to cells for 100 days". This meant that we had forfeited all privileges, even the privilege of going to Church on Sundays. Our cells were bolted and locked with keys. No communications were allowed between us and warders. Not even ordinary greetings. The cells were warm and airless, with only a tiny ventilation. At 6 p.m. the warders would put on the electric light and shout "Learn book, read the Bible". We sweated from morning till evening. At 3 p.m. each day we were taken out in batches of two cells to take our baths. Sometimes a cell contained six or five detainees. Some slept on the ground. We were served more often than not with gari, and one table spoonful of red pepper each. The warder would only open the cell a crack, and slide the ration in. He would ask "How many?" Upon the number being given one feeding pan upon the other would be piled up and slid inside and then bang! The door would be shut and locked.

We looked very much like some dangerous and carnivorous animals in a zoo. The constant lock-up made communication with outside impossible. Our grapevine became inactive. The cells smelled from too much human sweat.

Then one day, I was called to the Prison Office, to be told I had a visitor. I was allowed to brush up and put on my jumper and knickers. I was happy because the visitor was one of our main contacts. He had brought some important information. We spoke in code which the prison authorities took down. The code was very ordinary figures of speech concerning the welfare of our relatives and friends and how "Prof" was faring. We used such terms as "communual labour" to mean underground organisation. "Gonggong" was used to designate whether there were any rumours in town and such other terms. But the code words which had been exchanged by letters earlier were kept very secret between my informant and myself for fear they might get to the ears of the authorities if I told any of my friends.

On that day, I had information that several more of the leaders of the UP (United Party) had been arrested. These included Chief S. D. Dombo, William Ofori Atta and Koi Larbi and that they had been lodged at Nsawam. Several Police officers had then been arrested. These included the Chief of Police, Mr. E. R. T. Madjitey, Mr. Sackey (ACP), Mr. J. Amaning, Deputy Commissioner of Police and Mr. Tibo, another Assistant CP and one Superintendent Awuku. Also included was Mr. Adjirackor, then ACP, Central Region.

Later Chief Dombo, Sackey, Mr. Awuku and Mr. Tibo, Deputy Commissioner, were transferred to Ussher Fort.

We were released from close confinement before the arrival of Chief Dombo and the others from Nsawam Prisons. Mr. Henry Thompson, now Press Officer of the Ghana Embassy in London, had also been transferred from Cape Coast to Ussher Fort together with Mr. Adjirackor. Chief Dombo and his group were confined to the condemned cells. It was with great difficulty that we met them, and that through the most perfect ruse to attract their attention. They were opened from the condemned cells after we had all been locked up inside. This meant that whenever the detainees were locked in condemned cells at another wing of the prisons and were being escorted to take their baths, all the

detainees in the other parts of prisons were locked up to prevent their seeing them. Mr. R. R. Amponsah was alone at Cape Coast Prisons.

Chief Dombo is an easy-going politician who had a lot of nick names. Each time he passed to go and take his bath, people would be shouting from left to right, calling him and he would be waving, saying "Are you all right?"

We met and briefed ourselves. It was evident that the CPP government was heading for a fall following the general oppressive measures and the lack of essential commodities.

The Ashanti group

A group of over 50 people from Ashanti were detained. This included Bafour Osei Akoto, the chairman of the NLM. The group, as I have said earlier, included oldmen of about 80 years and some women. The women, about 12, were kept in James Fort Prison. This group was put to great physical and mental torture. First of all, they were detained in "B Hall" where criminal detainees, who had little or no privileges, were kept.

On their arrival they were given one blanket each. The lucky ones had one tarpaulin about two feet by four feet. They were then packed like some sub-human beings into cells—six or more to a cell which must take only four.

At the reception gate, they were given a really good beating up as a tradition of welcome in those days. They were so beaten up that one felt happy to be locked up rather than to be outside. They were confined to cells for over three months, under the pretext that they were criminals. At 3 p.m. everyday they would be released to take their baths. And everyday they were beaten up as they rushed to the showers. The prison warder would shout "outside for bath" and then he would start to open the cell doors bang, bang. The detainees would pass through a line of warders, one of whom would say "hei, let me wash my hands" and pang, pang, he would slap any detainee whose cheeks took his fancy. As soon as the detainees had entered the bathroom and opened the showers, the warders would shout again "inside". So that the detainee would have scarcely had the chance of wetting even his head. He would then be rushed running into

the cells. Since the detainees only had one blanket each, the blanket absorbed the water and in the course of time, the detainees, their blankets and the cells smelled like a pen of sheep.

Whenever a detainee who had been slapped and was bleeding from the ears was sent to the Infirmary, the dispenser would look at him and as usual prescribe "water diet" on the charge that he was malingering. So what the detainees did was to take away the little oil on the surface of watery palm soup and use the oil to rub on their wounds caused by excessive beating.

There was a particular corporal who was described as a strong warder. Almost everyday he would give the detainees a beating. There was another yardmaster who was prepared to hang himself if ever Dr. Danquah came into power, and he sealed his oath with slapping detainees who were "stupid enough to follow Dr. Danquah".

After three months, the Ashanti group were sent to "A Hall" as political detainees. This was immediately before our transfer to Ussher Fort.

I was shown many scars. Dr. Danquah wept as he saw the oldmen. Because of the general belief that detainees would never be released, prison officers did not treat the illness of detainees with any particular interest.

In fact, by 1963, detainees had been informed by the Senior Prisons Officer that if they died they would be buried in prison and that the dead bodies would not be released to their families. At the time the sentences of those who had served five years had been increased to a further five-year term. The government had amended the Preventive Detention Act and had extended the duration of detention from five years to ten years. It was a day of general mourning and we could do no more than to abandon ourselves to the inevitable.

The Roll of Honour

As a result of the bad medical attention people started to die. On 25th September, 1964, Mr. Saka Ayivordje Dzevenue died from acute stomach pains. He was taken to the hospital at Nsawam once but like all prison treatments, no attempt was made to cure him. On 11th April, 1964, one Bila Moshie died.

On 11th June, 1964, one Opanin Kwabena Manu died. He too was not given proper medical attention. Although doctors had recommended a special diet for him, this was never given to him. He complained incessantly of stomach pains. He was old and feeble, then over 76 years old. At the last moment he was taken to Korle Bu Hospital but it was then too late. He was operated upon but because he did not receive the proper medications in prison, he died.

We were very close friends and I used to keep his spirits up. I had accompanied him to the bathroom where he had taken a hot bath. It was a Sunday. I left to attend a Church service which was to be conducted by Rev. Richter of the Presbyterian Church. On our return from Church, Opanin Manu had died. All of us put off our prison clothes and wore our blankets as a sign of mourning. We left our rations untouched.

On the 10th April, Opanin Kwame Owusu, whose sickness had been diagnosed as tuberculosis died. On 1st June, 1964, one Francis, a native of Ivory Coast died. He was also known as K. Mensah.

On the 18th February, 1964, all the detainees were confined to cells until the 20th May, 1964. In March, 1964, one Acheampong died. Opanin Owusu Duku, Wiemoaschene, died at Ankaful hospital. Kwadjo Grushie died in 1964. In 1965 Agya Amoah died. One Adansi Tango also died by hanging himself because he had reached the saturation point.

At this time some of the political leaders had begun to lose hope. One of them suggested during a Sunday sermon that it was the mark of the immature man who died boldly for a cause but the mature man lived humbly for a cause. We could make neither head nor tail of this philosophy, and we were much troubled.

J.B. died on 4th February, 1965, at Nsawam Prison. Mr. Ashie Nikoi, Mr. Amponsah Dadzie and Mr. E. E. Y. Bosompem died in exile.

It was remarkable that most of the deaths occurred in 1964. During the year, a batch of "strong warders" were despatched to Kumasi to "cool down" some detainees who had refused to take their food and were on hunger strike. The warders returned a week later and most of them had bandaged their hands. When

asked what had happened to their hands one replied "we beat them good and proper". Later, we heard that each of the warders who went to Kumasi to beat up the detainees had been given a bonus of 10s. (N¢1.00).

It was a period when we had intensified our contacts with the outside world. We had heard of the assassination of President Olympio which had disorganised our colleagues in exile there. This affected our lines of communication.

Security had been tightened at the prisons. Ussher Fort had become a sort of transit camp for very important people. Mr. Ayeh, a Principal Secretary, was there a few days and so was the late Alhaji Kadiri English, a government food contractor.

A whole batch of freedom fighters from the Cameroun were also detained there. This followed the Kulungugu incident.

We heard Nkrumah was going to open a school in Kulungugu when a bomb exploded, injuring a number of people, and killing others. We listened to Nkrumah's broadcast on his return from Kulungugu with great interest. Bombs continued to be exploded in Accra. Then we received information that Mr. Tawiah Adamafo and Kofi Crabbe were to be arrested. We heard also that Mr. Ibrahim Quaye, at present an MP, Mr. Anum Yemo and his brother, Mr. Quaye Mensah, had been arrested.

One night, Adamafo, Kofi Crabbe and Yaw Manu were brought in. We could not believe our eyes. We rushed to the cell to greet Adamafo but the new arrivals had been confined to cells. A week later, they were released from confinement and transferred to down-landing. I went to greet Adamafo and he and Kofi Crabbe told us of the Kulungugu incident. Later they appeared before a special political court presided over by Mr. Justice Korsah, Mr. Justice Akufo-Addo and Mr. Justice Van Lare. The court discharged Adamafo and Kofi Crabbe but found Yaw Manu guilty. As soon as they returned from court, they were re-confined to cells. They were placed in Dr. Danquah's cell No. 27 which was near a radio box. The political radio commentator, one Alex Hutton Mills, now an MP, went in for Adamafo to the extent that it got on his nerves and we had to close the radio to spare them the mental torture.

Then during the week, we heard that their death warrants had been signed by Nkrumah and that they were to be hanged that

night. At about midnight, warders came and dragged them to the condemned cells. The next day, we heard that the death warrants had got missing from the Prison Office and that these had got to the United Nations.

You could imagine the consternation in the prisons. Warders were searched. Prison officers were interrogated by Special Branch officers and army intelligence men who came in and out of the prison. Then suddenly, one morning, we heard that the Chief Prison Superintendent in charge of Ussher Fort, Mr. Ofei, and two others had been detained. His deputy, who had no particular liking for me, was in a brown study most of the time. Later, the Prison officer detainees were removed to another prison. Two warders who were duty clerks in the prison office were also detained.

When I saw Mr. Adamafio again, he had gone prematurely old with his hairs completely grey. Then towards the middle of the year, the most annoying thing happened. A CPP delegation led by Mr. Kwadwo Addison came to visit the prison to ask us "Do you want to go home?" Major Awhaitey quarrelled with them and so did many detainees. I was so amused. I asked my interrogator whether he "would like to come here?" Without answering the question, he asked me again "Are you happy?" So I sneered, "yes, very happy indeed". He said "all right", and left. Later, those of us who did not appear to have bothered about the CPP delegation were taken to the Chief Warder's office to be shown his power.

This particular Chief Warder was a rather interesting man. He treated detainees like some inanimate things. He had an imperious manner. He would enter a cell and order "hey, you all get out from my cell". So one day, one of the detainees asked him "Do you want to sleep here?" Of course, he was given a flogging for being "saucy".

It was during this time that Mr. Henry Kodjo Djaba, Mr. F. Y. Asare and Mr. James Quartey were brought in as "special detainees" to attend court. Mr. George Clement and my cousin, Mr. Eric Danquah, had already arrived at Ussher Fort. Mr. George Clement, a businessman and a newspaper proprietor was detained because Nkrumah thought by reason of his Togolese nationality he sent information to Togoland. At the beginning

of Nkrumah's political career, this gentleman had been of great help to Nkrumah.

Mr. Osei Assibey Mensah who had been released had been redetained. This applied to Amakomhene Nana Yiadom Boakye, Chief of a quarter in Kumasi. We also heard with shock the death of Mr. John Wellington Tsiboe, Managing Director of the Abura Printing Works Ltd., printers and publishers of *The Pioneer* for which I worked. He died in London.

I later received the shock of my life. A man from Sekondi who worked for a detainee, Mr. J. W. Acquah, in his bookshop had been detained. He told me Nkrumah had told a friend of mine at Nkroful that if my friend misbehaved he would detain him too. I did not feel happy that any of my friends would be detained for no reason but that I knew them.

Chapter 4

On 4th February, 1965, at 9 a.m. the news flashed through Ussher Fort that Dr. Danquah had been "killed" at Nsawam Prison. Some of the reports said he was gassed. Others said he was poisoned. It was not until the afternoon that we heard that he had died in his cell and that there was no apparent foul play. We did not rule out torture, because we heard time and time again that he had been chained, beaten up and refused medical attention.

Mr. Modesto Kwasi Apaloo, Bafour Osei Akoto and Mr. S. G. Antor had been sentenced to incarceration at the Nsawam condemned cells on suspicion of "doing politics". Mr. Apaloo reported that he nearly died of anaemia had it not been for Dr. Danquah who cursed and shouted, at the peril of his own life, for the prison authorities to give medical attention to him.

Mr. Apaloo was for three long days in a coma. He was locked up in one of the terrible condemned cells, and it was only when the "doyen" started to shout and curse that Apaloo was saved.

Bafour Akoto returned to Ussher Fort with his two legs swollen from kwashiokor and Mr. Antor had an enlarged stomach also from kwashiokor. At Nsawam, they were not allowed to stand up. They were chained when they went to take their baths. They were chained when they shaved. They were treated in every way like some dangerous and wild animals who were not fit to be let loose in society.

Mr. Koi Larbi was detained at Nsawam prison hospital, and so was Mr. de Graft Johnson. Dr. Danquah was suffering from asthma. Every effort to get him to the prison hospital failed. He needed fresh air in order to stay alive. He was denied that fresh air. He was kept in the stuffy, smallish, smelly, bedless and damp cell for people condemned to death. This demonstration

of man's inhumanity to his fellow man, this callous disregard for human life, was one of the contributory factors which killed Dr. Danquah at the age of seventy.

Apart from occasional bouts of asthma, Dr. Danquah was a well-built, healthy and good-looking man. He had silver-grey hair and the features of a sculptured saint. I had been his political secretary for over 15 years and had grown to admire his quest for excellence and his belief in the Ghanaian, his patience and his belief in an ultimate justice. He was proved right by the coup by the Army and the Police and the general acclamation with which it was received by the entire nation. It had long been his philosophy that no one can fool all the people all the time. He believed that ultimately the people would reject the CPP. He likened the CPP to the *tigare* cult. Hundreds of people worshipped *tigare*—a fetish which had its origins from a town in the Upper Volta. It was said to be very powerful and even Christians became worshippers of *tigare* in Ghana.

Dr. Danquah likened the worshipping of CPP to the worshipping of *tigare*, and predicted that the scales would fall off from the eyes of the people, and they would return to sanity. He triumphed in his death. Dr. Danquah's death shocked all the detainees at Ussher Fort. In the afternoon, we all put on our brown blankets as a sign of mourning. We wept bitterly and were in a rebellious mood. So the prison authorities locked us up for the day.

The following Sunday, almost every detainee went to the Presbyterian Church to mourn the "grand old man". We were lucky on that day to have had Rev. Debrah, then Chairman of the Accra District of the Methodist Church, to preach to us. He preached on the theme "Peace be Still". He told us of how Jesus had saved his disciples who were afraid of a storm at sea and had called on Jesus, who was resting, for help. He came on deck, and commanded the wind to be still. This signified hope for the good Christian. Some of us wept for nearly a year, because we felt that there was no hope. During the anniversary of his death, Mr. Kofi Boateng Busia, younger brother of the Prime Minister, Dr. Busia, preached a wonderful sermon.

Some of the preachers who used to preach during Dr. Danquah's incarceration at Ussher Fort returned to preach to us—Rev. Mensah of the Methodist Church who came to say

farewell on his transfer to Asamankese, Rev. Richter and Rev. Max Duodu, former Moderator of the Presbyterian Church.

We had regular visits also from the Roman Catholic and Anglican Bishops. Suddenly no preachers came from outside. So we took turns in preaching the Gospel. During this period we were much teased by the prison warders. But there were two particular officers who sympathised with us. They were not allowed to remain at Ussher Fort for long. They were immediately transferred as soon as it was discovered they were not cruel to us. One of these kind officers, one Supt. Demenyah went on leave. We later heard with regret that he had died at Koforidua.

There were two particular officers who were receiving rapid promotions and who openly boasted that they were senior security officers. One day, as an oldman, Mr. Pumpuni, a retired surveyor of Kumasi was returning from Church, one of the officers gave him such a big blow on his buttocks with his swagger stick that the oldman of about 72 years wept. This incident so incensed us that there was a near rebellion. We resolved that if ever Dr. Busia came into power, some of these prison officers should be punished or retired.

Most of us were suffering from all forms of weaknesses. The most rampant was failing sight. Some were suffering from some terrible skin diseases which made the skin peel off or form malignant rashes. Several detainees became prematurely grey whilst others suffered from bells palsy. It was some sort of disease which made the mouth shift sideways. Most people had swollen feet whilst one or two of the leaders broke down constantly and wept. We seemed to have lost hope.

In November 1965, it was rumoured that General Ankrah had wanted to stage a coup but he told somebody about it in London who reported him to Nkrumah and so he was retired. We also heard Major Afrifa was staging a coup and had arrived at Cape Coast in 1965, when the plot was abandoned.

Some of us had developed very well in the reading of our Bible and in the interpretation of dreams. One afternoon, Chief Simon Diedong Dombo told us he had dreamt we had been released and there were a lot of soldiers around. He told us to "check up". This checking up was done by repeating psalm 23 about 49 times. And then repeating other psalms. Our experience was that if you concentrated well enough, you entered a mental state and we

sometimes had identical dreams. But this time Chief Dombo's dream was the forerunner of our liberation.

In the midst of a desert of hopelessness, suddenly we found an oasis of hope. This was 24th February 1966. There was a great deal of noise, of cheering and of merry making from outside. At 6 p.m. we were kept locked up. Then suddenly there were knocks on the prison walls—messages were coming from cell to cell. The message flashed into cell No. 3—my cell. The army had seized power. General Ankrah had assumed office. Afrifa and Kotoka were the heroes of the coup.

"Who is Afrifa?" "Who is Kotoka?" We kept on asking. When we were let out at 3 p.m. to go and take our baths the story unfolded from mouth to mouth embellished, but we did not care. So we also cheered. This was responded to from outside. On our way from the bathroom, we saw a young soldier caressing a machine gun. He looked serious and businesslike. And suddenly the prison officers became miraculously friendly. The officer who had given us so much trouble looked into my face and for the first time behaved like a human being. He said "The army has taken over, all of you are going home." The reality of the news so overwhelmed me that I looked at the officer and said simply, "thank you". That night there was evidence. Kofi Baako, Kwaku Boateng and some Ministers came in. Kofi Baako was sent to Dr. Danquah's cell. I thought the entry into detention of a Minister was too poetic.

Releases started that evening. Then as more and more cabinet Ministers and CPP high ranking officers were brought in batches, our peace was disturbed. The prison officers took us from our cells and jammed us into a few cells in order to make room for the newcomers. The next day, we saw them and I went to greet my old friend Kofi Baako. He did not appear disturbed. He smiled and waved. Then I saw my cousin, Aaron Ofori Atta. I saw Krobo Edusei and most of the Ministers.

On the 25th, more detainees were released. Five of us were the last to go out on Saturday, 26th February. We were Mr. S. G. Antor, Mr. P. K. K. Quaidoo, Mr. J. W. K. Acquah, Mr. J. Kwesi Lamptey and myself. We were the last to leave Ussher Fort. We wanted to be sure everybody else had gone. The officer called a warder and asked him to press our clothes. It looked

funny to me. It was not until I emerged from the Ussher Fort which had been my home for five years, that I realised why the prison officer wanted our clothes pressed. There were newspapermen. He wanted us to look decent.

We left Ussher Fort by exchanging our cells with members of the CPP Government who passed the PDA which enabled the CPP Government to put us in detention.

I did not know whether to weep or to laugh. I took a taxi to see Mr. William Ofori Atta and his wife Mary. I was happy to see him looking very healthy. He thought I looked "all right". When I arrived at my home town of Kibi, I was received with deep feelings because of the death of Dr. Danquah. I went to his house and wept. Then I proceeded to his grave and wept bitterly. The great home-coming was indeed sad and incomplete.

Dr. Busia sent a special messenger to me from London per Mr. Buabeng with £10 (N£20.00) and a note wishing me welcome and thanking God for my being alive. Dr. Busia later arrived in Kibi. After stopping for a time in my house, he was accompanied by a large crowd to the Kibi cemetery to lay a wreath on J.B.'s grave. Several leading members of the Government who are now in the Progress Party came to Kibi to lay wreaths.

The Preventive Detention Act

What did the PDA achieve? Its objective was to silence the entire nation to enable Kwame Nkrumah to become a dictator and usher in a one-party state.

It succeeded temporarily to keep opposition quiet. But it forced opposition to go underground. At the height of the oppression, opposition appeared to have germinated within the CPP itself. The Kulungugu bomb blast was evidence of the fact that the PDA did not bring peace to Nkrumah nor did it keep the people quiet.

Nkrumah became a prisoner of his own shadow. He built walls around him and employed a legion of foreign soldiers to protect him. He had no confidence in his own security agents. One of the policemen detailed to protect him — Ametewee — attempted to shoot him. He arrested the entire party propaganda machinery

of 80 and put them in detention. He arrested CPP girls and put them into detention. The PDA became a counterblast.

Kwame Nkrumah could not improve upon the strategy of the old dictators. History repeated itself and he fell from power. It also demonstrated the truth that a one-party state was a political time bomb which would explode unexpectedly anywhere, particularly where a semblance of unity had been artificially created, and dissent was absent. There was no collision of opposing considerations in debate to enable the truth to reveal itself. The political leader sat on a powder keg which he mistook to be a packet of loyalty.

It was easy to cause revolutions in a one-party state because there were no open enemies. In a system where everybody was a member of the establishment and a comrade, and particularly where loyal servants around the throne were themselves liable to be arrested, people become afraid to tell the Leader the truth.

The Leader therefore lived in a state of unreality and in an unnatural world because he did not want to hear the voice of dissent. In such a state of false reality the Leader was surrounded by a false sense of security.

The Kulungugu incident testified to this fact. The general support given to the coup d'état was also evidence of the fact that in a world where Nkrumah thought he had all the support, he was deceiving himself. Some of those around him were mostly people, perhaps, working underground for his fall. They were human beings who had human feelings against oppression and injustice.

It is therefore true that the open society is the best form of political system. It enables political leaders to sift the chaff from the wheat and know the state of public opinion.

The democratic society enables the people to see the two sides of every picture. It is the safest and the best system of government for Africa if we are to avoid violent uprisings against governments whose leaders oppress the people.

Chieftaincy under Nkrumah

Chieftaincy, the repository of Ghana's traditions and culture, suffered greatly under the political system of "Nkrumaism".

The chiefs, since the early days of political agitation, were very suspicious of the new generation of politicians.

The chiefs were the medium of the indirect rule policy of colonial administration. As an organised power, the institution itself had command and control over society. This had cultural and nationalistic significance because the stool or skin is believed to be the soul and culture of the people and the nation itself is enshrined in the stool or skin.

Everybody, high or low, owed absolute allegiance, to the chief of his area and his stool, to whom he swore fealty through his traditional elder of the family.

The chiefs, after the departure of the colonialists, still had residual influence. Against this influence, the Convention People's Party waged eternal war. The reaction of the more powerful chiefs was immediate and natural. It was a struggle for self-preservation.

Nkrumah told the chiefs "you will run away and leave your sandals behind". This was virtually a declaration of war, for a chief without his sandals, is in effect, deposed.

The National Liberation Movement, therefore, received the support of almost every chief.

Because the chief is the symbol of power, of ancestral life, of history and the saga of his tribe as well as the fountain of honour, he was the medium of communication with ancestors and the NLM clarion call received a nation-wide response.

Even the politicians believe in animism as a way of life of the nation, because the African is convinced that there is a living reality in the universe whose presence is ubiquitous. Consequently his presence is to be invoked for every purpose; and because he is immanent in every living being, the worship of nature is a recognition of the presence of our ancestors who are in daily communion with the Supreme Deity.

So that there was a certain measure of ambivalence between the pull from political party loyalty and the pull from traditional loyalty. The magnetic pull of tradition was greatest in Ashanti and Akyem Abuakwa and in certain areas of the country.

By 1958, a year after independence, the campaign against the chiefs had reached its apogee. The CPP established "destoolment committees" in most traditional areas. Through threats and

political machinations, several of the powerful chiefs had no alternative but to succumb to pressure.

Their monthly allowances were withheld, they were publicly insulted and politically humiliated until one day even the Asanteman Council resolved to throw its weight fully behind the CPP. The debacle set in motion a well-oiled machinery for the harassment of the chiefs. In 1958 the Jackson Commission was set up by the Government to inquire into the Okyeman Council, and in particular, its financial relations with the National Liberation Movement at Kibi.

The Commission reported adversely on the Okyeman Council and Nana Ofori Atta.

Government withdrew recognition from the Okyenhene; the Adontenhene and his supporters set in motion the machinery to depose the Okyenhene.

Finally on 24th September 1958, Nana Ofori Atta was banned from his seat of administration, Kibi and the traditional area. The order was enforced by the arrival of over 800 armed policemen at Kibi early in the morning. Over 12 militant youngmen of the town, including Bafuor Kwaku Amoako, the Gyasehene, and myself, were detained for 6 hours at the Police Station, before the arrest of the Okyenhene.

Nana Ofori Atta was whisked away amidst the whining of sirens of Police wireless cars. He was arraigned before a magistrate at Koforidua. Every effort by his counsels, Mr. Quarshie-Idun and Mr. H. Coussey, to obtain bail was unsuccessful. He lived in Accra for 8 years, until 4th September 1966 when the NLC lifted his banishment and he returned to Kibi. The Government also set up the Sarkodee Commission to inquire into the political support which the Asanteman Council and Nana Sir Agyeman Prempeh II, had given to the NLM. The Commission reported in terms similar to the Jackson Commission.

The chiefs in Ashanti were more united than those in Akyem Abuakwa. It was said that strong CPP politicians like Mr. Gbedemah and Mr. Krobo Edusei were strongly against the banning of the Asantehene. Somehow Bafour Osei Akoto was sacrificed and he was sent to detention. Nana Kusi Apea, Paramount Chief of the Wenchi traditional area and several other chiefs were banned. In some cases the Government dis-

established the traditional areas to facilitate the destoolment of the chiefs concerned.

In the Volta Region, several powerful chiefs had to flee their homes to Togoland to seek political asylum. Even politicians like Kojo Ayeke and Rev. Amatozobla had to seek asylum in Togoland.

In the midst of this campaign, Nkrumah declared himself "Osagyefo", the "valiant", and was elected chief of Nkroful in addition to being declared a chief of a clan at Wenchi.

Chapter 5

Why Nkrumah failed

Kwame Nkrumah, a former Catholic school teacher, who went to America to study Philosophy returned home to do politics. Luck smiled on him. He climbed on the shoulders of the elders of the United Gold Coast Convention and won power. He held power for 15 years.

Suddenly and without warning, the Army and the Police dispossessed him of power. Now he lives in exile. Why did Nkrumah fail? Principally, Nkrumah's basic weakness was his sense of bigness, a fixed sense of grandeur and his claim to excellence in political strategy. He suffered from an inordinate ambition, not only to be the leader of Africa but also to be recognised as a leader who can influence world opinion. This obsession to become a world statesman led him to make his fatal journey to Hanoi in January of 1966.

In a way, Nkrumah failed to believe that he would be ever overthrown, because he had organised the most elaborate security system, and held the entire nation to ransom, as if the nation was his property. The people resented this suppression of their basic human rights to self-assertion. As a people, Ghanaians became political robots. Those who challenged the socialist era were sent to political detention.

This character of Nkrumah was in contrast to his earlier claims as teetotaller, humble and averse to amorous contacts with women. He was believed to possess magical powers and endowed with powers of transfiguration. He was called a saint just before he broke up the United Gold Coast Convention. Nkrumah had a charismatic image which was immense and the public adulation was beyond comparison. Naturally he acted the part and was

greatly assisted by his almost enchanting powers of platform oratory. At first he called himself a common man, a verandah boy until he was voted into power in 1951 under the Coussey Constitution which he described as "fraudulent and bogus". He was appointed Prime Minister when Ghana first achieved internal self-government. He began rapidly to acquire the taste for power and the determination to stick to it at all costs. The British Governor-Generals did not stop him. They believed he would humiliate the intellectuals who had been the source of so much trouble to the District Commissioners and to the Governors, during the agitation for self-government.

Nkrumah did not make opposition to his regime possible. Elections were rigged and gerrymandering was apparently a factor of policy. He hated criticism and his critics therefore were labelled as "enemies" of the state. He took his first false step in passing the Preventive Detention Act soon after independence in 1957.

The Parliamentary Opposition of nearly 32 dwindled to zero by 1960. The opposition naturally went underground. That was the first sign of danger, but Nkrumah believed that he had succeeded in wiping away any opposition to him from outside. He therefore turned to his own party and started purging it by a Dawn Broadcast in 1960. By September of that year he had made attempts to seize properties of some of his party colleagues or had sacked them from office for their failure to declare such properties.

He stopped one of his Ministers from using a golden bed and also from living in a palatial mansion, befitting a so-called socialist of that era.

Within his party, there was mounting resentment both against his personal power and the power of the secret police who swarmed everywhere. School children were recruited into the Young Pioneers and they were encouraged to spy on their parents. The saturation point had been reached. The people could not take it but they dared not speak their mind.

At this time, Nkrumah should have stumbled on the true position of affairs, but his newspapers were praising him. People were sending telegrams of congratulations even when their friends and relations were sent to detention. Nkrumah's name was

ubiquitous on coins and currency; everywhere the Nkrumah image was pervading and absolute. He loved to hear praises of himself. So everybody praised him and laughed later. People would send telegrams of praise to Nkrumah and then calmly go to their chambers and either curse his power or pray to God for deliverance.

All the time, Nkrumah lived with a false sense of security. He lived in an unreal world where "Nkrumah never dies" and he was the "Messiah". The truth was that most people deceived him. He was never told the truth but only what would please him. His mistake was that he never stopped to evaluate a world where the only value was Nkrumah, and decide whether this could be a true reality. He had broken the army and the police. He had a strongly equipped Presidential Army. He had bunkers at Flagstaff House with foreign soldiers guarding him.

Most of the things which happened had taken place before in other countries. It was believed that Nkrumah had studied most of the world's dictators and believed he had perfected their strategy and avoided their mistakes. But he forgot the verdict of natural law. When his cup was full he decided to leave Ghana to play the role of world statesman and mediate between America and North Vietnam. His last stop to Hanoi was China and it was a journey of no return.

If Nkrumah had not set up a one-party state, contrary to the traditions of Ghana, and if he had tolerated a parliamentary opposition and an opposition press, he would have been more careful and more cautious. The opposition would have told him the truth and made him look at the other side of the picture.

The fashion of the one-party state is becoming a popular political gimmick. But the one-party state idea is foreign to African tradition. It is only an attempt by politicians to refuse to face realities of their countries by having open competition. It has been argued that in the African society there is no existence of a permanent opposition as part of traditional government. Therefore, an opposition party is an anomaly and a foreign imposition. This is a false doctrine.

There are in every African dynastic structure, what are known as Houses of Succession. Whether in the matrilineal or patrilineal system of succession there are principal Houses entitled to climb

the stool. Therefore when a stool or skin becomes vacant, members of the royal family offer themselves as candidates. They fight the election until one candidate gets elected and installed. But in the Council of Chiefs there is a permanent watchdog of the interests of the people. This is the Captain of the Warriors-group which is composed of every youngman who is able to fire a gun and has taken a wife.

The Captain of the Warriors is not one of the elders. He is always consulted by the elders separately and he offers views representing the public view on any matter. If he disagrees, he seeks permission to sound the war drum and consults with the people. He, the Captain, is the leader of the opposition.

It had always been recognised that "one head does not take counsel" and that two heads are better than one. On the tables of most leading African chiefs are carvings of a body with two heads, reminding them that *ti koro nko agyina*, an Akan proverb in Ghana meaning two heads are better than one in taking counsel on a problem. One of the most serious charges against a chief is one of dictatorship. The traditional society makes sure no chief could be his own judge and linguist at the same time.

The difference in the African system is that the War Captain represents the opposition. In an indirect way he is also one of the "king makers" but he himself is not an heir to the stool. This is in contradistinction to the parliamentary system where the opposition is an alternative government. But although the system is different in practice the principle is the same.

The absence of open parliamentary opposition has always created inherent fears in the parliamentary system and the government suffers daily from a feeling of instability because of the existence of invisible subversionist groups, scheming and planning to overthrow the regime. Consequently such regimes are, most of the time, toying with a powder keg which may explode at any time.

The Security of the State

The failure of the security system in the Nkrumah Administration was due to the fact that he did not make the system neutral

in politics, but messed it up politically. As a result, his appointees got involved in political in-fighting. This involvement by top security officials in the inner political struggle made them take sides on behalf of the Secretariat which was Nkrumah himself and the result was that Nkrumah was misled.

What happened was that because the top security officers were themselves engaged in the political in-fighting within the CPP, they started to report on Ministers and high party officials to the extent that Nkrumah was confused because he was made to doubt the loyalty of his Ministers. Even security men themselves were arbitrarily transferred to regular police when they were reported upon.

The policy started the disintegration of the CPP. High officials were pushed through the iron gates of Ussher Fort Detention Camp. The Intelligence Division of a country is a very sensitive organisation. The absence of independence in any officer who is a member of the system can lead to dangerous consequences and land the Government in a state of false security.

This happens when instead of concentrating on the ring leaders of known subversive groups, attention is turned to the manufacturing of statements against members of the Government and State officials in the interest of the party in-fighting as happened during the CPP regime. Unless all members of any intelligence system stay aloof from the political game with their single loyalty to the government, there will always be the danger of misdirection, mis-information and wrong orders being given, whether in Africa or elsewhere in the world.

I do not imply that top men of any security system should live in an ivory tower. But it is important that if they are to evaluate information correctly, they should be free from bias. This is terribly important.

Another important fact which followed from security men participating directly or indirectly in the political in-fighting is that they tended to create an unnecessary wall around Nkrumah so that people who would like to tell him the truth did not get near him.

I believe that politicians in office today should learn a great deal from the experience of the bungling of Nkrumah's security system. Although Nkrumah was able by subtle manoeuvring to

stay independent of the political in-fighting in the CPP, yet he was so unhappy about the crawling *dictatorship of the secretariat* which wanted to control all appointments, and to participate in all top decisions through the Central Committee of the CPP that he took over the Secretariat himself.

The party government had in actual fact two cabinets; the constitutional Cabinet and the Central Committee of the CPP. The word of the Central Committee became final in most cases, because its functions were based mostly on information supplied by Intelligence men.

Most political parties have suffered from the dictatorship of the Secretariat with its power over party newspapers and with its tentacles in most business interests, directly or indirectly.

If the Intelligence system is to perform its allotted duty to the State, I think it must become an independent observer of the political scene, so that in the evaluation of information, the system can work without slanting the direction of effectiveness. I believe that every National Security Council in Africa has a duty to screen the Intelligence system with a fine toothcomb. The Council should also keep its ears close to the ground. It should not hesitate to take action and keep the system detached from politics, for therein lies the total safety of the state.

One of the most dangerous operational mistakes in any Intelligence system is to misdirect the trend of information. Such a state of affairs may produce different reactions which may be unjustified. Very easily, anybody with political bias can manipulate information to give a different slant, if he is politically inclined. This is not different from involvement in political in-fighting.

To have a political opponent in a Government—and this concerns top officials only—in sensitive intelligence positions would be like brandishing a naked knife in a closed fist.

It would be difficult to eliminate entirely such officials, but anybody who has visited the Justice Department of the American Federal Bureau of Investigation, should be struck by the elaborate system of their operation and the political detachment of the federal agents.

I have pointed out that it is dangerous for any political leader to fail to have complete control over his political party and allow

officials to own their own newspapers whilst remaining on the party's pay roll.

This was the experience which led to the great schism in Ghana between the CPP and UGCC. The Steering Committee trusted their new General Secretary, Kwame Nkrumah, so much so that they failed to listen to the advice of those who had genuine fears about the ambitions of Nkrumah. And so Nkrumah wrestled power from their hands. He owned three newspapers—*Evening News*, *The Morning Telegraph* and the *Daily Mail*.

Although eventually the Army and the Police also wrestled power from the hands of Nkrumah, the ex-President's fault was that he ran from the *dictatorship of the secretariat* to the dictatorship of the Secret Police.

Nkrumah failed because he never permitted himself to reflect and listen to the truth. Hundreds of people hovered around him like flies for what they could get, but not because of the magnetic skill of the "Show Boy".

Nkrumah was taken for a veritable gold mine, and hundreds of people made a gold rush and staked claims. If those who later gave evidence before the commissions of enquiry were bold enough to speak up against the CPP regime, the country would have been spared the long row of debts which we go year after year, cap in hand for rescheduling. Did Nkrumah know that his people were amassing wealth? Nkrumah was of course not in the political game for nothing. He knew it. For to him it was a trump card, a kind of pistol, which he held over the heads of his Ministers and party functionaries to get them to tow the party line.

It may be like the fashion of political blackmail. The Ministers and the party functionaries knew that Nkrumah knew what they were doing. So they bowed down to him like worshippers before a Baal.

When Nkrumah introduced the one-party state, Dr. Danquah and the other elder statesmen of the time pointed out that it was incongruous with our African tradition. They pointed out the dangers of one-party state and said it would not work. Although Dr. Danquah and his colleagues have been proved right, Ghana came a cropper through Nkrumah's intransigence.

I believe that the political leaders of Africa should learn from the experience of Ghana. The creation of one-party states

and the constant threats of subversion create a state of instability, so that African leaders are perpetually on the alert.

Nkrumah created the conditions which made failure possible. He used the charm of money and the threat of detention. Each was a dangerous and uncertain policy, because when people have no value for money, they will spend it foolishly and ask for more. Regarding political detention, because of our peculiar extended family system, many people were affected. I am unalterably against uniformity and regimentation of public opinion. I believe that in any political set-up, unless there is room for the interaction and interplay of forces of contending opinion, a society would not be able to sustain itself as a moral force.

The crisis of political leadership was mainly one of manipulation of political forces so that a political leader could appease every side without getting his beard singed. It was a difficult tight rope-walking. As the first demonstration of democratic style every politician ought to learn the ability to put out fires of temper with words and constructive patience.

Namely, when there is a seething vortex of disagreement in their political parties they must be able to assuage feelings without leaning to either side.

For the leader is the father of his party, and it would be unjustified to show indifference to the feelings of any member of his party.

Nkrumah failed in this at the final stage, when he leaned to power, and lost it.

Chapter 6

The Republican Constitution

J. W. TSIBOE,
P.O. Box 325,
Kumasi,
30th January, 1960.

Dr. Danquah,
P.O. Box 15,
Accra.

Dear Dr. Danquah,

Your note annexed your copy of the UP draft-statement, which you kindly passed on to Mrs. Tsiboe and myself for our comments.

My first comment is one of congratulations to you for your very interesting draft.

Secondly, if the United Party does not oppose the idea of the shift from monarchy to republic, then it has to reject totally the proposed plebiscite by the government. The UP must concentrate all its efforts on bringing to the public notice the need to know what kind of republican constitution is good enough for Ghana.

This brings immediately into focus the Constituent Assembly. The UP must call a national delegates conference to state categorically the UP is mainly interested in the democratic contents of the proposed republican constitution. It will therefore be necessary to reject unreservedly the idea of the National Assembly being metamorphosed into a constituent assembly.

The United Party must take advantage of the emergency powers provisions of the Constituent Assembly and the Plebiscite

Bill and exploit them by suggesting to the country that the secret constitution is intended to be the efficient weapon to usher Ghana into a dictatorship and the slogan for the UP must be "What has the government to hide in the Constitution?"

I think that this matter is so important as to necessitate the calling of a national delegates conference to discuss and approve of your draft.

With kind regards,

Affectionately yours,
J. W. TSIBOE.

Dr. Danquah's draft

The National Executive of the United Party does not oppose the Government's proposal that Ghana should become a republic, that is to say, the Head of State should be a person elected periodically by the people for limited periods, and that the present constitution of a monarchy should be replaced by a republican constitution.

Further, the National Executive welcomes the belated change of heart by the Government that a Constitution for a free and intelligent people, such as are the people of Ghana, should not be obtained "by post", as was done for the 1953-54 alteration of the Constitution—the "Nkrumah Constitution"—nor on the advice of a Sir Frederick Bourne, or of an Achimota Conference, as was done for the 1956-57 alteration of the Constitution, the Independence Constitution.

We welcome the recognition by the CPP Government that a freely chosen and intelligent constitution should be one made by a constituent assembly authorised by the people specifically to constitute or re-constitute the principles upon which the State is to be governed in a certain positive direction.

In 1951 the CPP Government threw the opportunity for a constituent assembly away when Dr. Nkrumah rejected out of hand a motion for a Constitutional Committee moved by the leaders of the United Gold Coast Convention (Dr. Danquah and William Ofori Atta) in the Legislative Assembly. It will be recalled that Dr. Nkrumah rejected the motion on the ground that when the time came a suitable Constitution for independent

Ghana could be found at the back page of a textbook on constitutional law and that the motive behind Dr. Danquah's motion was "criminal".

Again in 1953-54, because the CPP Government turned down the proposals by the Ghana Congress Party for a Constituent Assembly and preferred Dr. Nkrumah's approach for Constitution "by post", the country was deprived of another opportunity to draw up for itself an intelligent and durable constitution.

On 3rd February 1955, the National Liberation Movement and the chiefs of Ashanti under the two signatures of Otumfuo Sir Osei Agyeman Prempeh II, Asantehene, President of the Asanteman Council, and Bafour Osei Akoto, National Chairman, National Liberation Movement, issued a joint statement on the Constitutional proposals. They informed the country and the Government of their firm conviction that "the best way out of our present troubles is for the Government to call for a Constituent Assembly whose term of reference shall be to draw up a federal constitution to suit the needs of the Gold Coast in general and the autonomous regions in particular".

The two signatories added in the Joint Statement that they did not consider that "the present Legislative Assembly should be metamorphosed into a Constituent Assembly for the purpose we have indicated".

The CPP Government rejected that wise counsel of 1955 in a rough-handed manner. Today, in 1960, that same government has proposed that the present National Assembly should be metamorphosed into a Constituent Assembly for the purpose of creating a republican constitution for Ghana.

In the search for a scape-goat for their past political sins of omission and commission, the CPP Government has picked upon the distant Parliament of the British people at Westminster in London, as blamable for Ghana's deplorable constitutional condition, namely, the absence of fundamental law drawn up for the country by a Constituent Assembly.

The National Executive of the United Party rejects as both untenable and grossly misleading, the CPP Government's claim that "it has been necessary to introduce such a Bill in Ghana (the Republican Bill) because the British Parliament did not make the same provision, in granting independence to this

country, as it did in the case of India and Pakistan, for the setting up of a Constituent Assembly leading to a Republic."

Without wishing in the least to hold any brief for the British Government, some of whose local representatives, such as Sir Charles Noble Arden Clarke, have to bear their full share of blame for the unfortunate disposition of the country's government today, we would point that at no time since 1948, when His Majesty's Government of the United Kingdom accepted the Watson recommendations for independence for Ghana within ten years, did Britain interfere with our own progress towards that objective.

In fact it can be said without any hesitation that both Mr. Oliver Lyttleton in 1952 and Mr. Allan Lennox-Boyd in 1956 faithfully upheld the public understanding made by Mr. Creech Jones in the White Paper of 1948 (Colonial No. 232) that His Majesty's Government "are pledged to assist the people of the Gold Coast by all means in their power in their progress towards self-government and they are anxious that this progress should be as rapid as the interests of the people themselves and the needs of good government permit".

It is true that when this pledge was given in 1948, Dr. Nkrumah's Convention People's Party had not been formed (it was formed a year later in June 1949), but as Dr. Nkrumah himself shows at pages 171 and 172 of his autobiography, when Mr. Lyttleton visited the country and discussed progress to independence with Dr. Nkrumah and his Government, the Secretary of State's attitude "showed clearly that in order to gain our independence, it was incumbent upon the Gold Coast Government to take the initiative".

Neither Dr. Nkrumah's so-called "Motion of Destiny" (10th July 1953) for the 1954 Constitution, nor the White Paper placed before Parliament in May 1956, for the 1957 Constitution, was drafted in London. They were both drafted by Dr. Nkrumah himself and sent to London for action.

As regards the detailed proposals for achieving a republican constitution, we are alarmed to notice in the Constituent Assembly and Plebiscite Bill (the Republican Bill) that the Government's wish is to plan the plebiscite on something like a war footing and that Parliament is being invited to place

certain emergency powers in the hands of the Government as if the country were under martial law.

The suggestion in sub-clause (2) of clause 3 of the Bill for the Constituent Assembly to make regulations containing "requirements, prohibitions and other provisions" including power "to control the movement and assembly of persons, to restrict the supply of intoxicating liquor and to use temporarily without the consent of the owner thereof any vehicle or building" could only have been put forward on the assumption that the people of this country indulge in liquor to excess and that so hectic would be the atmosphere of the plebiscite that the Government must have power to deprive people of their personal rights to freedom and property without resort to law.

We suspect that the Government must have sensed a certain stiffening of internal and external resistance to some of their measures, and that is why they are seeking the powers of a dictator for the conduct of the plebiscite.

After the most mature consideration, based on the wisdom which inspired the Opposition to suggest a Constituent Assembly for Ghana in 1951, 1953 and 1955, the National Executive of the United Party reject as wholly injurious to the polity of the country the several steps suggested by the Government as the exercise required to achieve a republican constitution on a wise basis.

We feel that what is wanted is not merely a new Head of State, but that the time has come for a general reform of the entire constitution. We note with considerable surprise and pleasure that the underlying assumption in the Republican Bill is an admission by the Government that the present Parliament, composed of the Queen of Ghana and the National Assembly, has not the authority or power to frame or alter the political constitution of the country without first seeking the authority of the people by means of a Constituent Assembly or a Plebiscite.

It follows from this that all the amendments made to the Ghana Constitution of 1957, without first complying with the sanctions for such amendments entrenched in the 1957 Constitution are null and void. Such is the case with the Regional Assemblies Act, upon the illegal passing of which it became possible for Regional Assemblies, to be set up and then immediately abolished.

Such, too, is the amendment which made it possible for the Houses of Chiefs to be deprived of their powers, for the Judicial Service Commission to be abolished and for the power of the Public Service Commission to be whittled down.

In order that the country should not fall into a similar unwise and inept handling of the fundamental law of the land, the National Executive of the United Party proposes to the country and the Government that the following steps should be adopted in a big effort to reform the Constitution and to substitute a republican form of government for the present monarchical constitution.

Firstly

The Government, in consultation with the Opposition, to set up a public Commission of Enquiry (to be called the Constitutional Reform Commission) to take evidence from the general public as to what aspects of the Constitution require change or improvement, who are those in favour of such changes and their reasons for wanting the changes.

The question of a Bill of Rights could be one of the important matters to be enquired into by the Commission. (Date for appointment of Commission, any date between now and March 6).

Secondly

Place the Report of the Commission before the country for public general study and discussion, in the press, in the Trade Unions, in the literary and social Clubs, by the professions and the churches, by the University Colleges and the learned societies, by the Chiefs, farmers and women's organisations, and to let Parliament finally debate the Report (March 6 to April 30).

Thirdly

Let the Government issue a White Paper based on the public and Parliamentary discussions, and to state what are the Government's own proposals to Parliament (April 15).

Fourthly

Let Parliament be dissolved on the basis of the Government's

White Paper for the election of a new National Assembly with power to form a new government and to set up a Constituent Assembly composed not only of the members of the National Assembly but of representatives fully constitutive of the several interests and "estates" in the country, including Members of Parliament, the Trade Union, the Chambers of Commerce and the professions, the churches, the University Colleges, the Ex-Servicemen, the women's organisations as also the Chiefs and the farmers organisations (April 15).

Fifthly

The party returned to power upon the country's approval of its constitutional scheme and policy to form the government and to supervise the work of the Constituent Assembly (June 15).

Sixthly

After the Constituent Assembly has approved of the Reformed Constitution, with regulations stating what should be the particular qualifications of a President of the Republic, and the manner of his election, the electorate to be called upon to elect a fit and proper Ghanaian as first President of the Republic, who shall have power as Head of State, but not of the Government, to embody the honour and the dignity and the moral authority and undivided unity and integrity of the chiefs and people of the Republic of Ghana (June-July).

Seventhly

Should the new Constitution call for a bicameral legislature, namely, a National Assembly and a Senate, the Constituent Assembly and the Government to take steps to see that such a Second Chamber is elected at the date fixed by the Constituent Assembly but before the election of the President.

Finally, we reject as quite wrong the report made in certain quarters that in fact a constitution for Ghana is already being written in secret and that some two Irish lawyers are engaged on the job.

It is not given to anyone, not even the Prime Minister or the Cabinet, to write a Constitution for this country. The people, in a Constituent Assembly, are the only authority to lay down

the principles for the fundamental law of the land and to write and approve of a Constitution on that basis. We call upon the Government to give up the so-called secret drafting of a new Constitution for Ghana. The free and intelligent people of Ghana are themselves capable of writing their own constitution in public, not in secret.

We recommend for the serious consideration of our countrymen that the national policy of this country should at all times be the acceptance and observance of free parliamentary democracy and that any one who pursues a policy of sacrificing or giving up the independence or the sovereignty of Ghana to satisfy any kind of international ideology should be condemned as a traitor to the State.

We had hoped that during the remainder of its term of office, the Government would lead the country to concentrate on the economic emancipation and independence of the country through the Five-Year Development Plan or an improved or better plan. But the Government has chosen to call upon the country to give at least six months of its attention to the great question of constitutional reform.

We of the United Party accept the challenge and we once more call upon lovers of the true liberty in Ghana to rally to the banner of the United Party and save Ghana from communism or the governmental control of everything. Guided by the liberal ideas, individual freedom and free enterprise we must strive to maintain at all times the great objectives for which some of our people sacrificed their lives—the great liberties of parliamentary democracy.

J. B. Danquah,
Yiadom Chambers,
Accra.
27th January, 1960.

Note.—The CPP Government rejected the proposals.

Extracts from Prison Commission Report

SCR/950

Ministry of the Interior,
P.O. Box M.42,
Accra.
8th August, 1962.

TREATMENT OF DETAINEES

I am directed by the Minister to inform you that with immediate effect all detainees should be placed on the same prison diet as convict prisoners. The supply of eggs, milk, etc., to certain detainees on the orders of the Prison Medical Officer should cease forthwith. This cancels all previous instructions regarding the diet of detainees.

2. Please acknowledge receipt of this letter.

(Signed)
Principal Secretary

The Director of Prisons

CONFIDENTIAL 244/D/62

28th September, 1962.

PRISONERS' RATIONS

On the 24th September, 1962, the Deputy Director of Prisons and I were ushered before Osagyefo the President by the Minister and the outcome were three decisions, namely, that the Detainees should be served with only gari and water, discipline should be exercised more firmly and the Visiting Committees be abolished. But your letter No. SCR1581 dated 25th September, 1962 confirmed only the case of the Visiting Committees. I should be grateful if you will confirm that the decision regarding the ration should be suspended.

(Signed)
Director of Prisons

The Principal Secretary,
Ministry of the Interior,
Accra.

No. SCR.950

Ministry of the Interior,
P.O. Box M.42, Accra.
Ministry Branch Post Office
5th February, 1963.

REGULATIONS FOR DETAINEES

The Minister directs that the attached Regulations which he has approved should be brought into force immediately.

(Signed)
Principal Secretary

The Director of Prisons,
Accra.

REGULATIONS FOR DETAINEES

(A) Diet

All detainees shall be supplied with the following diet:—

Monday

BREAKFAST

Akasa	10 oz., i.e. 1 cupful
Sugar	1 cube

LUNCH

Gari	$\frac{1}{2}$ lb plus 1 cup stew made with
Fish	$1\frac{3}{4}$ oz
Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz
Orange	1

SUPPER

Gari	$\frac{1}{2}$ lb plus 1 cup stew made with
Fish	$1\frac{3}{4}$ oz
Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz

*Tuesday***BREAKFAST**

Akasa	10 oz, i.e. 1 cupful
Sugar	1 cube

LUNCH

Kenkey	1 lb plus 1 cupful palm nut soup made with
Beef	$\frac{1}{2}$ oz
Beans	$\frac{1}{2}$ oz
Palm nut	4 oz
Vegetables	2 oz
Salt	$\frac{1}{4}$ oz

SUPPER

Kenkey	1 lb. plus 1 cupful palm nut soup made with
Beef	$\frac{1}{2}$ oz
Palm nut	4 oz
Beans	$\frac{1}{2}$ oz
Vegetables	2 oz
Salt	$\frac{1}{4}$ oz

*Wednesday***BREAKFAST**

Akasa	10 oz, i.e. 1 cupful
Sugar	1 cube

LUNCH

Gari	1 lb. plus stew made with
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Fish	1 $\frac{3}{4}$ oz
Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz
Orange	1

Thursday

BREAKFAST

Akasa	10 oz, i.e. 1 cupful
Sugar	1 cube

LUNCH

Kenkey	10 oz plus 1 cupful palm nut soup made with
Beef	$\frac{1}{2}$ oz
Beans	$\frac{1}{4}$ oz
Palm nut	4 oz
Vegetables	2 oz
Salt	$\frac{1}{4}$ oz

SUPPER

Kenkey	1 lb plus 1 cupful palm nut soup made with
Palm nut	4 oz
Beans	$\frac{1}{2}$ oz
Vegetables	2 oz
Salt	$\frac{1}{4}$ oz
Beef	$\frac{1}{2}$ oz

Friday

BREAKFAST

Akasa	10 oz, i.e. 1 cupful
Sugar	1 cube

LUNCH

Rice	1 plateful plus stew made with
Fish	1 $\frac{3}{4}$ oz

Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz

SUPPER

Rice	1 plateful plus stew made with
Fish	$1\frac{3}{4}$ oz
Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz

Saturday

BREAKFAST

Akasa	10 oz, i.e. 1 cupful
Sugar	1 cube

LUNCH

Gari	$\frac{1}{2}$ lb plus 1 cupful palm nut soup made with
Beans	$\frac{1}{2}$ oz
Palm nut	4 oz
Vegetables	2 oz
Salt	$\frac{1}{4}$ oz
Beef	$\frac{1}{2}$ oz

SUPPER

Kenkey	1 lb plus 1 cupful palm nut soup made with
Palm nut	4 oz
Vegetables	2 oz
Salt	$\frac{1}{4}$ oz
Beef	$\frac{1}{2}$ oz

Sunday

BREAKFAST

Akasa	10 oz, i.e. 1 cupful
Sugar	1 cube

LUNCH

Cassava	1 lb plus stew made with
Fish	1 $\frac{3}{4}$ oz
Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz
Orange	1

SUPPER

Cassava	1 lb plus 1 cup stew made with
Fish	1 $\frac{3}{4}$ oz
Dried beans	1 oz
Other vegetables	2 oz
Salt	$\frac{1}{4}$ oz

Note:—Whenever cassava is prescribed and it is not available it can be replaced with either kenkey or gari.

(B) Treatment

- 1 First 12 months: detainees shall be placed under observation, and training shall proceed under conditions of maximum security. Manual duties shall include stone breaking, firewood splitting, and odd essential prison services, including removal of sanitary pans, etc.
- 2 Detainees shall be locked up at 4.30 p.m. daily (ordinary convict prisoners are normally locked up at 8.00 p.m. daily). No evening activities, no games. No letters, no visits except on the express authority of the Minister.
- 3 Detainees shall not be allowed to use clothing other than prison garb and such other toilet requisites as allowed by regulations. They shall wash their own clothes and make their own bedding and remove their own sanitary pans. They shall not wear their own shoes or sandals except recommended by the Prison Medical Officer.
- 4 Whenever a special diet is prescribed for a detainee by the Prison Medical Officer it shall be provided subject to the approval of the Minister.

- 5 Normally all detainees should be treated by the Medical Officer within the prison. Serious cases requiring specialist attention to be treated in hospital subject to the approval of the Minister.

9/63

5th February, 1963.

DIETARY SCHEDULE

I forward herewith the attached dietary schedule for your attention. On receipt, please telephone me for instructions.

2. Please acknowledge receipt.

(Signed)

Director of Prisons

The Principal Prison Superintendent, Kumasi, Nsawam,
Ussher Fort, James Town.

The Senior Prison Superintendents, Sekondi, Cape Coast.

Prisons Headquarters,

P.O. Box 129,

Accra, Ghana.

20th June, 1967.

The Chairman,
Prison Commission,
Accra.

DIETARY SCHEDULE—DETAINEES

Dir. Prisons Conf. letter No. 9/63 dated 5th Feb., 1963

As you desire to know, I have to state that the issue of rations to detainees was not carried out, as described in "A" of the above-quoted letter. The Director of Prisons gave this order on the phone and subsequently, verbally too, on his visit to the Prison after the receipt of the letter under reference.

(Signed)

Officer-in-Charge,

Medium Security Prison, Nsawam

Ref. No. NSM/0060/4847

Prisons Service,
Medium Security Prison,
P.O. Box 305,
Nsawam, Ghana.
19th June, 1967.

DIETARY SCHEDULE—DETAINEES

Ref. No. 9/63 of 5-2-63

I am to refer to the above Circular copy attached and to state that on receipt of the Circular, I accordingly rang to the late Director of Prisons, Mr. I. W. Abban, who replied on the telephone that he will be reporting at my Prison (Ussher Fort) in an hour's time.

Copy

FILE No. SCR 950/2/16

Hon. Minister,

At cover are petitions from the following 20 political detainees addressed to Osagyefo the President on the subject of their detention:

- | | |
|----------------------|----------------------|
| 1 Dr. J. B. Danquah | 2 Joe Appiah |
| 3 Victor Owusu | 4 George Kofi Essel |
| 5 John Anum Ashilfie | 6 Alfred P. Biney |
| 7 Nana Mensah Yiadom | 8 Kojo Ghan Quartey |
| 9 Kwame Kesse-Adu | 10 Justice K. Asmah |
| 11 Vidal Kwami Quist | 12 Raphael Kofi Sedo |
| 13 John Ben Ocran | 14 Kwame Boakye |
| 15 J. W. Acquah | 16 K. A. Amano |
| 17 Ismaila M. Annan | 18 John K. K. Dick |
| 19 Kofi Imbeah | 20 A. D. Apea. |

2. May I have your directions, please.

(Signed)
27th October, 1961.

Biography of

Mr. Emmanuel Obetsebi-Lampitey

Emmanuel Odarkwei Obetsebi-Lampitey, the fourth of eight children was the son of the late Mr. Jacob Mills-Lampitey, an Accra businessman, and Madam Victoria Ayeley Tetteh, both of whom hailed from Accra.

Odarkwei, as he was known in family circles, was born on 26th April, 1902 in a small village called Obetsebi, near Odorkor—an Accra suburb—while his mother was travelling through to a neighbouring village. This gave him the name tag “Obetsebi” by which he was popularly known.

His formal education started at the age of nine at the Accra Wesleyan School. He continued at the Government Boy's School at Kumasi, and in 1921, his final year in the primary school, he was transferred to the Accra Royal School.

Obetsebi-Lampitey was employed in 1922 by the late A. J. Ocansey, a general merchant, as a shorthand typist. After a year's service, he sat for and passed the Gold Coast Civil Service entry Examination. In 1923 he entered HM Customs and Excise Department as Second Division Clerk and worked in Accra until 1930 when he was transferred to Takoradi.

In 1934, Obetsebi-Lampitey proceeded to the United Kingdom on his own to read law. He graduated LL.B. and was called to the Bar at the Inner Temple in 1939. In 1945, just at the end of the Second World War, Obetsebi-Lampitey returned to the Gold Coast to practise as a lawyer. In 1947, after the death of Akilakpa Sawyer, Obetsebi-Lampitey was elected unopposed to the Gold Coast Legislative Council as the second member for the Accra Municipal Area. While in London he joined various movements which advocated political freedom for the colonies. It was in this spirit that in August 1947, he and other political stalwarts founded the United Gold Coast Convention (UGCC) of which he was a member of the Working Committee. In March, 1948, after the February 1948 looting and rioting incidents, Obetsebi-Lampitey, together with five other leaders of the UGCC—Dr. J. B. Danquah, Mr. E. Akufo-Addo, Mr. Ako Adjei, Mr. William

Ofori Atta and Nkrumah (The Big Six)—were arrested and detained by the Colonial Government. He served on the Coussey Committee, where he, together with the late Dr. J. B. Danquah and other leaders of the UGCC on the Committee, submitted a minority report on the issue of unicameral and bicameral legislatures for the country.

In 1961, when Nkrumah under the cloak of law launched a vendetta against his political opponents, Obetsebi-Lampsey, with a sum of £100 reward on his head, escaped into exile in Lome, Republic of Togo, where he continued with his political activities and opposition to Nkrumah. In 1962, when Nkrumah declared his so-called amnesty, Obetsebi-Lampsey, sick with lung cancer and tuberculosis, returned to Ghana, only to be hunted down during the search for bombs in Accra, and thrown into the Nsawam Medium Security Prison where he died on January 29, 1963.

Extract from the report of the Commission of Enquiry into Ghana Prisons

Mr. E. Obetsebi-Lampsey was detained on the 5th October, 1962 and was held in confinement in the Condemned Section (Special Block) of Nsawam Prison. He was a sick man at the time of his detention and most certainly was in great pain and distress while in the cells. His condition deteriorated rapidly until he became so ill that he had to be transferred from his cell in the Condemned Block to the Nsawam Prison Hospital on 11th November 1962. Mr. Obetsebi-Lampsey's condition continued to deteriorate, and the Medical Officer called in the Physician Specialist, Dr. F. T. Sai. As a result of his report on his examination of Mr. Obetsebi-Lampsey on the 9th December, 1962 which diagnosed his complaint as carcinoma of the stomach, Dr. Sai recommended his transfer to Korle Bu Hospital.

Mr. E. Obetsebi-Lampsey remained in Korle Bu Hospital where his condition continued to deteriorate until he was ordered to be released on medical grounds on the 7th January, 1963. Although the warders were withdrawn and he was no longer chained to the bed, security guards remained outside. Mr. E. Obetsebi-Lampsey must have known he was dying and finally,

after a period of about two weeks in hospital, he asked to be allowed to go home. He was taken home by his family. Three hours after returning home, Security men were sent to re-arrest him; but finding Mr. Obetsebi-Lampsey so weak they felt he could not be taken away there and then, and, returned to their superiors for advice, leaving guards. Three days later, the 28th January, 1963, Mr. Obetsebi-Lampsey was removed on a stretcher to Nsawam prison where he was taken to the Prison Hospital. At about 9.00 p.m. that evening the Officer-in-Charge of the prison, Mr. L. S. Pipim, received a telephone instruction to remove Mr. Obetsebi-Lampsey to the Condemned (Special Block) cells. This was done, and Mr. Obetsebi-Lampsey died in his cell at approximately 9.00 a.m. on the 29th January, 1963.

The Commission found that whatever justification there may have been for the detention of Mr. E. Obetsebi-Lampsey, his treatment, when it was known he was dying and could not possibly engage in any subversive activity, can be described only as an example of gross inhuman callousness by those in authority at that time.

The Commission discovered that a post-mortem examination on the body of Mr. E. Obetsebi-Lampsey was carried out in the execution chamber mortuary, and the Officer-in-Charge of the prison, Mr. L. S. Pipim, professed not to have known about it. The specimens taken from the prison were sent to Korle Bu laboratories for examination in a tin. The label on the tin bore the name of a civilian who died on the same day as Mr. Obetsebi-Lampsey in the Nsawam civil Hospital. The name of the civilian was Magidu Zabrama.

No authority for a post-mortem examination was obtained from the prison authorities, the relatives were not asked, and no inquest was held as the prison authorities are required to do in law. There is no doubt that Mr. E. Obetsebi-Lampsey's death was due to natural causes; but the conduct of affairs before and after his death by those concerned was highly irregular.

Dr. J. B. Danquah

One of the most distinguished sons of Ghana who died in Nkrumah's detention was Dr. Joseph (Kwame Kyeretwie) Boakye Danquah—a scholar, philosopher, writer, journalist, lawyer, statesman and a cultivated man of many accomplishments.

Dr. Danquah was born on 21st December, 1895, at Bepong in Kwahu to Mr. Emmanuel Yaw Boakye Danquah and his wife Lydia Okom Korantemaa. His father was an Evangelist of the Basel Mission there. Dr. Danquah completed his formal education at the University of London between 1921–27 and read law at the Inner Temple.

He was a foundation member of the West African Students Union of Great Britain and Ireland (1922) and Editor of the *WASU Magazine* between 1923–27.

On his return to Ghana in 1927, he plunged straight into public life.

He established the first daily newspaper in Ghana, the *Times of West Africa* which was published between 1930 and 1935.

He was a foundation member of the Gold Coast Youth Conference (1930) and Secretary of the "Colony" and Ashanti delegation which went to the Colonial Office in 1934 to make representations against the Sedition Bill of that year and to ask for an improved constitution for the country.

He did not return with this delegation but stayed in Britain until 1936, doing research in the British Museum in the history and traditions of the Gold Coast people. It was during this period that he traced the connection between the Gold Coast and the ancient Sudanese empire of Ghana, which has since become the name assumed by this country on independence.

The efforts of Dr. Danquah brought about the legislative union between Ashanti and the southern parts of the country, then known as the Colony, in the Burns Constitution of 1946.

In 1947 he and Mr. George Alfred Grant conceived the idea of the United Gold Coast Convention to demand self-government for the country "within the shortest possible time"; he was

instrumental in bringing back Kwame Nkrumah from Britain to act as the secretary of this organisation.

Following the disturbances in February 1948, Sir Gerald Creasy, then governor of the country, arrested him and five other leaders of the United Gold Coast Convention and kept them in detention until the arrival of the Watson Commission in whose report he was named "Doyen of Gold Coast politics".

Elected to the Legislative Assembly in 1951, he became Leader of the Parliamentary Opposition until he lost his seat in 1954.

In 1960, he contested the presidential election against Kwame Nkrumah and was defeated by the latter mainly through the rigging of the election and other irregularities.

Detained on 3rd October 1961, following the strike of the Sekondi-Takoradi workers as a reaction against the budget of that year, he was released on June 20, 1962.

Arrested again in January 1964, he died in Nsawam prisons on 4th February, 1965, following ill-treatment and intolerable condition imposed on him in Nsawam prison.

He published many books on Akan institutions, laws and custom as well as numerous articles on contemporary events during his life time. A novelist and dramatist of no mean order, his *Third Woman* stands as a real contribution to the literature of Ghana.

Extract from the report of the Commission of Enquiry into Ghana Prisons

The death of Dr. J. B. Danquah in prison on the 4th February 1965, received some prominence in the press throughout the world at the time. It is apparent also that some wild rumours about the circumstances of his death have been circulating and continue to circulate; and because of the prominence of Dr. J. B. Danquah as a national figure in the history of Ghana, it was the view of the Commission that, as in the case of Mr. E. Obetsebi-Lamprey, considerable care and attention should be devoted to uncovering the true circumstances of his confinement and death.

It was elicited first of all that Dr. J. B. Danquah, as in the case of Mr. E. Obetsebi-Lamprey and a small group of others of the more prominent detainees, was confined in the Condemned

Cells, on the upper landing in his case, together with condemned prisoners.

When considering the following facts it must be remembered that Dr. J. B. Danquah was a man of 70 years of age at the time of his death.

Dr. Danquah was arrested and detained on the 8th January 1964. He was admitted to Nsawam Prison and lodged in the Condemned Section (Special Block) in cell No. 9 on the upper landing. The cell is approximately nine feet by six feet in area, secured by a solid door with a small open grille in the top half of the door and a barred window high up in the rear wall. The cell contained no bed or other furniture other than a chamber-pot.

For three months after admission, Dr. Danquah was not issued with bed, but first of all with only a blanket to cover the bare concrete floor. Evidence reveals that there was an order that detainees in the Condemned Cells, for a period of several months, were not allowed to stand up in their cells but had to lie down or sit on the floor. The purpose of this order appears to have been to prevent each of the detainees knowing who were the others detained. This order appears to have been effective, as the evidence reveals that it was only after many months had passed before some of the detainees discovered who were the others detained. It is felt also that the prison officers must have laboured under some fear for all of them to have remained silent for so long.

Elaborate precautions were taken also to ensure that no detainee had contact with any member of the prisons staff who was even remotely related, or were of the same tribe. In support of this we have the duty roster book of that time in which will be found set out clearly, the names of detainees and their tribes and the prisons staff and similar details.

The life of Dr. Danquah in the cells was regimented in the same manner as that of a condemned prisoner awaiting execution. Indeed, in some respects, his treatment was more rigid and circumscribed. On the few occasions when he was permitted to use the lavatory at the end of the corridor, he was escorted there and back; he was supervised while he had a bath; he was issued with toothpaste and toothbrush, supervised while he cleaned his teeth; the paste and brush were then withdrawn;

his cell was subjected to frequent rigid searches; during the early part of his period of detention he was given no exercise and, later, apparently only 15 minutes every week, although the records show this was somewhat irregular. During the early part of his detention he was allowed no visitor nor allowed to write letters but later he was permitted a visit from his wife approximately once a month.

Throughout the confinement of Dr. Danquah and others, the Condemned Cells continued to function as such; from time to time executions were carried out. This in itself must have been a form of refined mental torture for the inmates. Mr. E. R. T. Madjitey is recorded as saying, when he heard an execution, that he wondered when he would be executed. Mr. Tawia Adamafo also stated in evidence when asked, "Were any executions carried out while you were in the Condemned Cells?" He answered, "Yes, everything going on in that apartment could be heard by every inmate there. We could hear the preachers saying prayers, Holy Communion being served, and prisoners screaming". "What impression did all that have on you?" He answered, "I kept on wondering when it would be my turn."

There is conflicting evidence in regard to the diet given to Dr. Danquah and a few of the other more prominent detainees confined in the Condemned Block. However, the Commission feels more inclined to accept the evidence of Mr. C. E. Baiden, a retired prison officer, then in charge of the Condemned Block, who says when asked, "Do you consider that in the treatment of Dr. Danquah the measures taken were in the interests of justice?" He answered, "No. The treatment given to Dr. Danquah was not good. The food was poor, and even when the doctor recommended European diet for him this was overruled by the Director of Prisons. The doctor's recommendations were not carried out." So also, is the evidence of Mr. Seidu Moshie, a discharged warder who was on duty in the Condemned Cells for a number of years and who is mentioned in one of Dr. Danquah's petitions as a man who showed him some kindness. He said: "At first the detainees were served a smaller quantity of food so they began to grow lean. This made the doctors recommend the same quantity of food to be given them."

The foregoing evidence is supported by the fact that Dr. J. B.

Danquah lost 40 lb in weight between January 1964 and December, 1964 as recorded monthly in the "Weighing Book" for condemned prisoners. A few of the other detainees confined in the condemned block lost similar amounts of weight.

It is perhaps worth noting what the nutrition officer says in her report of people whose diet is inadequate: "Undernourished people are hypochondriacs and complain, even hysterically, about small or imaginary disabilities." Dr. Danquah was obviously beginning to display such symptoms as will be seen from his petitions. Such symptoms would be aggravated by his close confinement, the irritations of rigid searches and the regimented loneliness of a person in his state.

Not all of his disabilities were imagined, however, as the medical evidence clearly discloses. He was suffering from chronic Bronchial Asthma and hypertension 220/120. Without exception, all the medical witnesses confirm that the small condemned cell was not a suitable place for a man of his age, in his condition, and yet, in spite of his pleadings verbally to doctors, and prison officers alike, and in his petitions to the ex-President, he was not moved to the Prison Hospital. The Medical Officers and Prison Officers seemed to be too frightened or lacking in moral courage to assert their authority.

It is perhaps worthy of note that the Prison Medical Officers at this time (1964-65) were not Ghanaians, but from overseas countries whose sympathies would appear to have been with the Nkrumah regime, and none of whom could be consulted as they have left the country. The same situation can be said to have applied during Mr. E. Obetsebi-Lampsey's detention from October 1962 until Dr. F. T. Sai was called in as physician specialist and immediately ordered his removal to Korle Bu Hospital in December, 1962.

There is evidence that on the 30th June, 1964, a prison warden 2C/E/O Dogo Moshie, with the assistance of others, placed Dr. Danquah in leg irons for a short period as a punishment for being rude to a senior officer. This has been denied, but we prefer to accept the evidence of the Assistant Director who heard the case and who said: "I am convinced that Dr. Danquah was chained by the officers." We do not agree with the late Director who overruled this finding, but agree with him when he said of

Deputy Superintendent E. K. Sagoe, "I am inclined to think he bears the detainee (Dr. Danquah) a personal grudge. In view of this I recommend his transfer from the station." We consider Mr. Sagoe showed a complete lack of understanding of Dr. Danquah and unkindness, to say the least, for depriving him of his one source of relaxation, his exercise, as a punishment. It is interesting to note that Mr. E. K. Sagoe was not removed from the Condemned Block until January 1965.

On the 4th February, 1965, at 6.10 a.m. following the normal routine, Dr. Danquah was unlocked and escorted to the end of the corridor to take his bath at 6.20 a.m. On returning to his cell, he found, apparently, that his cell had been thoroughly searched and some of his things, including his Bible, were on the floor. He lost his temper and began to abuse the warder. This brought on a heart attack and he collapsed and died. The medical evidence during the period January 1965 up to the time of his death is of interest.

The Commission considered it advisable to compile most of the relevant evidence in Dr. Danquah's case and the petitions he wrote into one folder which will be found as Appendix XV of this report.

There is a considerable quantity of exhibits in the form of prisons registers and Ministry of the Interior files, etc., which it would be impracticable to reproduce, but will be of great interest in the future. To ensure their safe custody, we have deposited them with the Chief Archivist of the Government Archives.

The evidence on Dr. Danquah and his petitions speak for themselves. That a man of his standing and intellect should be reduced, by reason of the conditions of his detention, to begging illiterate warders for some kindness.

Letter from the Director of Prisons to the Minister of Interior reporting the death of Dr. J. B. Danquah, dated 11th February, 1965

"... As a normal routine, a search of the above-named detainee's clothes, bedding and the cell was conducted at the Special Block, Up-landing at 6.15 a.m. by early Shift officer Issa Nuhu to ensure that there was no prohibited article concealed

in his bedding to commit any harm, before taking over from the Night Duty Officers.

Meanwhile, while the search was being conducted, the detainee had then been marched to the bathroom by officer Yakubu Kanjarga to wash his face and brush his teeth. When he returned to his cell he was displeased with the searching, he therefore shouted and hurled abuses on the prison officers to his heart's content; later, he lay down on his bed and after a short while it was observed that he was dead.

I at once communicated the incident to the Deputy Superintendent of Police, the Prison Medical Officer, Nsawam and the Director of Prisons, Accra.

The Deputy Superintendent of Police came to the prison with a number of Police Officers in plain clothes, examined the cell thoroughly, wrote few notes and took four photographs of the body from various angles.

After the Police had taken the photographs, the Medical Officer also examined the deceased thoroughly, and noticed that he had vomitted and urinated. He declared him dead and the possible cause of death was "Acute Heart Failure".

The deceased was removed to the Prison Mortuary under the instruction of the Police.

At 3.10 p.m. I received a note of undertaking written by Mr. William Ofori Atta from the Chief Prison Superintendent, Mr. S. K. Adu, Headquarters, Accra for the collection of the body to Kibi for burial and precisely at 7.10 p.m. after necessary formalities, that is, checking of the properties and taking possession thereof and signing of the relevant book had been completed by Mr. William Ofori Atta the body was handed over at 7.55 p.m.

I have to state that the Police accompanied the party when leaving the prison precincts."

(Signed)

For Director of Prisons

Principal Secretary,
Ministry of the Interior,
Accra.

Copy to: Director of Special Branch,
Special Branch Headquarters,
Accra.

Minister of the Interior,
Ministry of the Interior,
Accra.

A note about the Petitions

The Danquah Prison Petitions are in two parts. Those written when he was detained at Ussher Fort, Accra and those written when he was re-arrested and detained at Nsawam.

He was arrested for the first time on 3rd October, 1961 and released the following year. It was when he attended a function marking the award of Lenin Peace Prize to the ex-President, Dr. Nkrumah, that the ex-President decided to order the change of diet for the detainees, because Dr. Danquah on his release looked healthy.

Dr. Danquah was arrested for the second time in January 1964, after the Kulungugu incident. It would be recalled that a bomb attempt was made on the ex-President's life when he went to open a school at Kulungugu in the North. There was a series of bombing incidents, particularly in Accra, at the time.

It would be seen that the first Petition was dated at Nsawam. It was at the time of the first arrest when Dr. Danquah and others were detained at Nsawam Prison for a brief period of three weeks before they were transferred to Ussher Fort. The other Petitions dated at Nsawam relate to the second detention.

The Petitions tell a story—the struggle of Dr. Danquah to live. The aim of political detention was to make detainees waste away and die.

Detainees were denied good food, physical exercise, and for an intellectual genius like Dr. Danquah, the denial of the facilities to exercise his mind, was a great punishment.

The resort of Dr. Danquah to the writing of Petitions was to beat the tedium in the cells. It gave him an opportunity to breathe some fresh air. The procedure was that a detainee writing

a petition had access to writing materials and sometimes to a typewriter. He was taken out of his cell every morning to the Prison Office or to some such airy place, and under the watchful eyes of a Prison Warder of inferior rank, J.B. wrote his petitions.

Quite apart from giving him an opportunity to be absent from his stuffy and airless cell every morning, it was a good exercise of the mind. He was a prolific writer, and an opportunity to write was a bit of consolation to being couped up in his cell every minute.

Dr. Danquah also intended to include the Petitions in a book he was to write about political detention. It would be seen that the Petitions have a definite message of exposing not only the conditions of the Prisons but the cruelty of the Government of the day.

Another motivation which led Dr. Danquah to write these petitions was the implacable feeling of responsibility for the detainees, because he felt that most of the people had been detained simply because they were his followers and belonged to his party—the United Party.

Most of us feel that Dr. Danquah believed he might die in detention and wanted to leave a memoir of his life in detention to posterity. There was a strong feeling at a certain stage at Ussher Fort that a part of the detainees wanted to write a petition 'to beg' Nkrumah; it was a feeling of a section of the detainees that if a resolution signed by a sufficient number of detainees was sent to Nkrumah he might release them. The intent was to abandon politics and the ideals which the United Party stood for. Some detainees actually signed individual petitions to renounce their support for the United Party and to promise the ex-President they would no longer take part in politics.

Following this trend at Ussher Fort, a group of detainees including the Amokomhene, Nana Yiadom, went to discuss the situation with Dr. Danquah, at his cell at Ussher Fort.

After weeping for some time, Dr. Danquah told us that so far as he was concerned he had lived his life to the full, he had made a name, and fought for the independence of Ghana. He told us he was an old man (68 years at that time) and he felt that he might die in prison because that was what Nkrumah wanted, but he would not stop any detainee who felt that he would be saved

by writing a petition to Nkrumah 'to beg' him to release him.

It seemed that most of the people who visited us in prison invariably advised us to "write and apologise to Nkrumah". Several detainees refused to succumb to Nkrumah. One of these was Alhaji Imoru Ayarna, who was detained in Ussher Fort with us. It would be seen therefore that the background to the Danquah Petitions were manifold—but they were mainly a historical record and a struggle to live. They also express his philosophy of Ghanaism.

K. K. A.

The Petitions

Nsawam Prison,
13th October, 1961.

Your Excellency,

Osagyefo the President

Representation in respect of Order of Detention dated 3rd October, 1961 and Grounds of Detention dated 7th October, 1961.

I have the honour to inform you that the only meeting attended by both Mr. Ismaila Annan and Mr. Atta Bordor at my premises in Accra in September 1961, was an Executive meeting of the United Party held on the 12, September 1961 by telephone invitation and by notice in the Press. In the absence of the Leader and the Chairman of the Party, I was elected *protem* Chairman of the meeting. The central subject discussed by the meeting was the demonstration by Railway and other workers against certain aspects of the 1961-62 Budget, together with the general financial policy of the Government. The several statements on the demonstration issued by the Presidential Commission and by the TUC as well as the speeches by Mr. Adamafio and Mr. Tettegah the previous week, were considered in relation to the papers on the Budget and the Economic Survey for the year issued by the Government. We came to the conclusion that the economy of the country had been wrecked by the Government's incompetent and wasteful fiscal and administrative policies during the period of the ten years, 1951-61. It became clear to us that the three Development Plans: (1) The First Five-Year Plan, (2) The Consolidation Plan, and (3) The Second Five-Year Plan, had been launched and precipitated without the guidance and control of any Planning Commission, and that the policies followed in those ten years had not increased the purchasing power of the people but had reduced it. Upon those considerations we felt convinced that what the country needed was not probably more taxation but clearer thinking. We took the view that Parliament should be recalled and that the Government should be called upon "to think again", i.e. to plan afresh under the guidance of a Plan-

ning Commission, or failing that, to give up the job of governing as beyond its capacity.

We decided to issue a Press Statement to that effect and we fixed Friday, September 15th for the Press Conference. The earlier meeting of September 12th was attended by about 12 members of the Executive.

Messrs. Annan and Bordoh attended as representatives of our members in the Western and Central Provinces. I assure you, Mr. President, that the two men, either separately or together, did not present any "design" to the meeting for the "subversion" of the Government of Ghana or for anything else. It seems to me tragic for the Republic of Ghana that its President should be made the victim of baseless and unjustified fears as to lead him to believe without tangible evidence, that in September, this year my colleagues and I received a design for subversion proposed by two persons and did encourage it, and "in furtherance of it did act in a manner calculated to endanger the security of the State and cause the overthrow of the Government of Ghana by unlawful means". Your Excellency has known me for the best part of 14 years. You are fully aware that it is not in my nature nor in my policy to cause the overthrow of any Government of Ghana by other than the best approved constitutional means. You will recall that when in 1949-50, you planned what you called "Positive Action" which resulted in a General Strike with its aftermath of violence and the killing of two policemen I warned you in a letter beforehand, "Kwame, Don't Do it". My record of 34 years in Ghana Politics has, I am proud to say, been a clean one devoid of any ugly chapters of violence. The turbulent national problems are invariably approached by me with a philosophic calm. I am aware that such an approach does not always lead to "popular" or "quick" results, but what it creates becomes a permanent part of history. In our Press Statement issued to the entire Press of the world, we made certain categorical and constructive recommendations.

(1) The Supreme need for a Planning Commission, (2) Clearer thinking, (3) Recall of Parliament to pursue a policy of clearer thinking, or (4) Failing the above, the Government to resign. I have the list of the important representatives of the world Press who attended our Press Conference on September 15. The Press

Statement was cyclostyled and copies were given to all present. The Ghana News Agency—Ghana Government's Official news agency was supplied with a copy. Subsequently, the Chief Superintendent of Police, Mr. Nunoo, called upon me and asked for a copy for the Police and it was supplied. I was asked many questions by the journalists for a whole hour, from 3 to 4 p.m., but at no time did my colleagues and I say, or suggest or give impression that we wanted anything other than what had been set out in the Press Statement.

Your Excellency, it comes as a source of pride and satisfaction to me that within a fortnight of our Press Conference, the Government decided to recall Parliament, and you, the President, came out with a policy which, for ten years, Busia and I and the party we represent, had been asking your Government to adopt, and which we had recently put forward in our Press Statement of September 15, namely:

A State Planning Commission

A State Control Commission

A New and Comprehensive Development Plan, and

A Scheme of Priorities.

In the face of this, namely, that our Press Statement has set the Government to rethink its plans and policies, it came to me as a complete surprise that our highly constructive meeting of September 1961, should be described by you as "subversive" and designed to cause the overthrow of the Government of Ghana by unlawful means.

The facts above show that the Order of Detention made against me and my colleagues in respect of our meeting of September 1961 was illegal in that it was based upon false information and false premises.

Secondly, the vagueness of the Grounds for my Detention, served on me without specific date and without specifying what was the "design" alleged to have been brought to the meeting by Messrs. Annan and Bordoh, does not show the Order of Detention to have been made in good faith.

I may be permitted to point out that apart from its injustice to me and to those who have suffered under it, the reckless use made of the Preventive Detention Act, 1958, in this and other cases, makes our country a laughing stock in the eyes of the world and

reduces our age to an abject condition in the eyes of history.

For its falsity, and for its bad faith, the Order of Detention is illegal and I therefore respectfully ask you Mr. President to withdraw the Order and to direct an order that I be immediately released from Detention and from any further restraint.

I am,

Your Excellency,

Yours very truly,

(Sgd.) J. B. Danquah.

The Honourable,
The Speaker of the National Assembly, Parliament House,
Accra, Ghana.
30th January, 1962.

Sir,

A petition to the Parliament of Ghana, through the Speaker of the National Assembly, by the undersigned free citizen of Ghana, arrested and detained on the 3rd October, 1961.

“Open my eyes that I may behold the wonders of thy law”
Psalm 119, 18.

I am compelled to seek the intervention of the Legislative Authority of Ghana for the Executive Authority to provide redress for my grievances as a subject of the law and a citizen of the State. The irregular, unjust and lawless manner in which the Government of Ghana has dealt with me, as with other detainees arrested on or about the 3rd October, 1961 (E.1. 172 of 1961) is the reason for this.

2. The grievances fall under three main heads:

- (a) Denial to me of access to the courts of Ghana. This denial is in direct contravention of a solemn provision in the Republican Constitution of 1960. The denial is also a violation of my common law right to have my day in court. (Next to the Ghanaian's life and property, his liberty is his greatest possession. When that liberty is

interfered with by any one, the Judicial Authority, namely, the court, is the individual's constitutionally appointed sovereign to judge between him and the respondent.)

- (b) Suppression from the public and the press of the statutory "representations" made by me at the Nsawam Prison on 13th October 1961, in answer to the statutory "Grounds for Detention" served on me within five (5) days of my arrest.
- (c) Publication by the Government to the world at large of a White Paper containing new and unchartered "Grounds for Detention" against me, but which were not served on me within the statutory five days, or at all, and which were not issued in accordance with the provisions of the Preventive Detention Act, 1958. (I was arrested on 3rd October, and the White Paper was published on the 11th December, 1961, sixty-nine (69) days after my arrest—a gross irregularity.)

GRIEVANCE A

3. As regards Grievance A, since my arrest on the 3rd October, 1961, the Minister of the Interior and Local Government has refused to grant permission to lawyers of the Ghana Bar to visit me in prison and to take my case to court.

- (i) Under the Common Law of Ghana, a detention by Execution of Judicial Authority, or even by Parliament, may be questioned in the High Court by means of a statutory or Common Law process known as Habeas Corpus.
- (ii) Under the established practice, only a legal practitioner is permitted to present to the court an application for the very complicated writ of Habeas Corpus.
- (iii) When therefore the Minister of the Interior, at the instance or otherwise of the Government of Ghana, oppressively prohibits or refuses to permit any lawyer to visit any of us in prison he thereby denies or takes away from us our constitutional and common law right of access to the court.

- (iv) In my own case, I have written to Mr. Koi Larbi, Barrister-at-Law, of Accra, to request him and Messrs. R. S. Blay and W. E. A. Ofori Atta and Dr. de Graft-Johnson, all Barristers, to visit me for consultation, but in no case has permission been given for any of them to gain access to me in prison.
- (v) As you will be fully aware, among those detained on October 3 are three lawyers—Mr. Victor Owusu, MP; Mr. Joe Appiah, MP; and myself. Mr. R. S. Blay is the President of Ghana Bar Association of which I am Vice-President (Eastern Region) and Mr. Victor Owusu is Vice President (Ashanti Region). Mr. Blay, our President, has personally applied to the Minister of the Interior, the Hon. Mr. Kwaku Boateng, MP, who is himself a lawyer and member of the Ghana Bar, but the Minister has not permitted the President of the Bar Association to visit his colleagues in prison within the period of over three months (October 1961—January 1962).

4. Under this Head (A) of denial of access to the court, I respectfully ask you, Mr. Speaker, and the Parliament of Ghana, for the Government of Ghana to be called upon by resolution or otherwise to restore my civil liberties and to take early and effective steps to remedy the unjust practice of preventing my lawyers to visit me in prison. I ask that the Government of Ghana be urged to see to it that the rule of law, the law of Ghana, and not the rule of man is made to operate in relation to detentions under the Act of 1958.

5. It will be appreciated that for any single day that any Ghanaian is held in prison and deprived of his liberty unjustly, the laws of Ghana are *pro tanto* insulted and debased in their dignity.

6. I respectfully submit that the lawyers and the Christians and the philosophers in the Executive of Government must be aware that as long ago as some 300 years before the Christian era the pagan philosopher Aristotle laid down the civilised and ethical principle in his *Politics* that to allow human passions to rule is not law but a perversion in the holders of office. He said: "He who commands that law should rule may thus be regarded as

commanding that God and reason alone should rule; he who commands that a man should rule adds the character of the beast. Appetite has that character; and high spirit, too, perverts the holders of office, even when they are the best of men. Law (as the pure voice of God and reason) may thus be defined as Reason free from all passion." (SK. III xvi, (i).)

GRIEVANCE B

7. (i) As regards Grievance B, in strict accordance with the provisions of the Preventive Detention Act, 1958, I was served with the "Grounds" for my detention within five (5) days of my arrest. The copy served on me was dated 6th October, 1961. I was so served on the 7th October, 1961.

(ii) The document, which was headed "Grounds for Detention/section 2(2) of the Preventive Detention Act, 1958", was as follows:

- 1 "1 Dr. J. B. Danquah
- 2 Obetsebi-Lampitey
- 3 Kofi Amponsah Dadzie
- 4 K. Kesse-Adu, and
- 5 Oheneba Ekow Richardson.

(a) During the month of September 1961, you did join in a design for the subversion of the Government of Ghana presented to you at a meeting held on the premises of Dr. J. B. Danquah in Accra, by Ismaila Annan and Atta Bordoh, both now detained, and you did encourage this design and in furtherance of it did act in a manner calculated to endanger the security of the State and to cause the overthrow of the Government of Ghana by unlawful means.

(b) Your detention is necessary in order to prevent you from acting in future in a manner prejudicial to the security of the State."

8. A few days after the receipt of the "Grounds" I availed myself of the opportunity offered under the Preventive Detention Act, 1958, to make "Representations" to the President against the Order for my detention and the "Grounds" served thereunder.

- (i) I pointed out in my "Representations" dated 13th October, 1961 that the only meeting held at my premises in September and attended by Messrs. Annan and Bordoh was an Executive meeting of the United Party of Ghana held on the 12th September, 1961. That meeting was summoned to consider the industrial and political unrest resulting from the 1961-62 Budget and to offer an opinion as a responsible national Party.
- (ii) I pointed out that the meeting was advertised in the Press and was attended by about 13 delegates from many parts of the country. Messrs. Ismaila Annan, a Moslem trader of Ahanta origin, and Atta Bordoh, a Methodist school headteacher in the village of Ada-Ngresi in the Gomoa Assin District, attended as representatives of the Western and Central Regions. I was elected Chairman of the meeting and I led it in discussion. We decided to call a Press Conference and to issue a Press Statement on the political and industrial unrest. The Conference was held on the 15th September, 1961, and it was led by me.
- (iii) I pointed out in my "Representations" that the Press Statement was cyclostyled and issued to the representatives of about 23 news and radio organisations from Britain, America, India, Nigeria and Ghana as well as the continent of Europe. I pointed out that the Ghana News Agency, the *Daily Graphic*, the *Ghanaian Times*, the *Ashanti Pioneer* and the *Accra Evening News* all sent representatives, and each was given a copy of the statement. I pointed out that the Chief Superintendent of Police (Mr. Nunoo) called on me later for a copy of the statement and he was supplied. (It was this same Mr. Nunoo who subsequently on the 3rd October 1961, came to my house and arrested me under the President's Order for my Detention.)
- (iv) In my "Representations" to the President, I pointed out that we commented on the Presidential Commissioners' description of the strike as based on legitimate grievances; that we welcomed the support given by

the TUC to the demand of the strikers for conditions of employment better than "compulsory savings", and that we condemned the insults heaped at Ghanaians by the Minister of Information and Broadcasting, Mr. Tawia Adamafio, who in a speech at Flagstaff House (the seat of the country's Government) had referred to the workers of Ghana as "despicable rats".

(v) I drew the attention of the President to the fact that in our Press Statement we made the following among other recommendations:—

- (1) That what the country needed was probably not more taxation but clearer thinking;
- (2) That Parliament should be recalled to consider a new and better thought-out economic development plan by the Government.
- (3) That the Government should appoint a National Planning Commission to produce a proper Development Plan related to priorities on the lines urged by Busia and myself since 1951; and
- (4) That if the Government was unable to embark upon a programme of clearer thinking in regard to the economy of the country, an economy totally wrecked in ten years by Dr. Nkrumah's four Governments from 1951 to 1961, then the CPP Government had failed in its duty, and should get out.

9. Mr. Speaker will be delighted to learn that in my "Representations" to the President, I expressed myself proud and happy to notice that a week or so after the Press Conference by the United Party of Ghana the Government of Ghana declared a change of policy in three directions all of which were in consonance with the recommendations made by us in the Press Statement, namely:

- (1) Government declared the setting up of a State Planning Commission and nominated the members. (This has since been changed to a National Planning Commission.)
- (2) Government recalled Parliament; and
- (3) Government announced the project of a "new and comprehensive" Development Plan (apparently to take the place of the Second Five-Year Development Plan which

had totally failed and was to be abandoned for incomprehensibility).

10. In my "Representations" I assured the President that Mr. Ismaila Annan and Mr. Atta Bordoh did not at the meeting of 12th September, 1961 or at any time before or after that date "present" me with any "design" for subversion and I specifically urged that as the charge contained in my "Grounds" of detention was not true I should be released from prison and restored to my freedom.

11. I took opportunity in the aforesaid Representations to remind the President, Dr. Nkrumah, that he had known me since 1947, and was fully aware that violence or a desire to overthrow the lawfully appointed Government of the land by force or unlawful means was not in my nature or policy. I reminded Dr. Nkrumah that in 1949 when he wished to stage what he called "Positive Action" (namely, boycotts and strikes) to compel the Governor, Sir Charles Noble Arden Clarke, to grant a Constituent Assembly to the Gold Coast within a fortnight, I wrote to tell him Dr. Nkrumah, "Kwame, Don't Do it". I conceived that ill-fated "Direct Action" to be wasteful of life, property and energy because at that time:

- (1) The Watson Commission had recommended in 1948 that the Gold Coast should become self-governing within ten years (paragraph 100 of the Watson Report);
- (2) The Secretary of State (Mr. A. Creech Jones) on behalf of His Majesty's Government in a White Paper on the Watson report had pledged the British Government to a speeding up of the Watson recommendation; and
- (3) The Coussey Constitutional Committee appointed in December, 1948 as a constitutional (wholly African) body to recommend the necessary interim measures to carry out the Watson recommendations, had reported in September 1949, and its recommendations were being rapidly implemented by the Government of the Gold Coast and all the level-headed politicians.

12. I reminded the President that an outcome of the Positive Action declared by him in January, 1950 was the killing of two policemen by mobs in Accra. In addition, many a breadwinner were tried in court for organising an illegal strike, found guilty,

convicted and sentenced to terms of imprisonment. (They were not detained without trial.)

13. I reminded the President that my policy of enduring constitutional patience had not changed throughout the years, and that as the Order for my detention was not in accord with truth, the law of Ghana should be honoured in my immediate release from Prison.

14. To my great surprise and pain, no reply or acknowledgement of any kind was vouchsafed by the President of Ghana to my statutory representations. In fact by the silence and conduct of the Government over my statutory representations it would be all the same if that document had gone to them from a piece of wood and not from a free-born Ghanaian to whom every member of the Government, from the President down to the lowest member, owes a duty to treat as a human being and a Ghanaian at that. There is no sense in Ministers being called "Ministers" namely "Servants" of the people, if they are not to serve the people and honour communications for them.

15. Not only did the Government not send a reply to my statutory representations, but as now appears clear from evidence to hand, the document was never published to the public of Ghana, nor were the world and the Press told that I had submitted representations which fully exonerate me from the charge of "encouraging" and "acting" upon a "design" alleged to have been presented to me and others by Annan and Bordoh on September 12, 1961, or "the overthrow of the Government of Ghana by unlawful means".

16. It will be within the knowledge of Mr. Speaker and Honourable Members of the National Assembly that on the 3rd and 4th October, 1961 and subsequent days, it had been widely published on the Ghana Radio and in the *Ghanaian Times* and the *Accra Evening News* that I had been arrested because of alleged participation in a conspiracy of subversion of the Government and of assassination of the President of Ghana, Dr. Kwame Nkrumah.

17. I respectfully submit that upon receipt of my statutory representations in October 1961, it was the duty of the Government of Ghana to publish the same in order to let the public in Ghana and abroad judge of the truth. But instead of publishing

the truth about me the Government of Ghana concealed it and told the world that it was going to issue a White Paper on the Detentions of 3rd October, 1961. As pointed out earlier it took the Government no less than 69 days from the date of the detentions to issue that White Paper. In the meantime my business, my career, my family, my home, my name, my literary work, including Ghana's history, literature and culture, have had to suffer while the Government sat by unmoved as if I were a piece of wood.

18. (i) Under the Head B of suppression from the public and the Press of the statutory representations made by me at Nsawam on the 13th October 1961, I respectfully ask you, Mr. Speaker and the Parliament of Ghana, to call upon the Executive of the Government by Resolution or otherwise to respect the truth and to let the tripartite principle of right, freedom and justice reign in their exercise of the power of government in Ghana. I ask that the Executive of the Government be called upon to issue an Order for my release, revoking the original Order for my detention, on the ground that the said original order was based on falsehoods.

(ii) By the Habeas Corpus Act of 1816, sections 3 and 4, whenever the grounds upon which a person is detained are found to be false, the person should forthwith be released from detention. The Supreme Court of Ghana, led by Mr. Geoffrey Bing, the Attorney-General, has held in the Bafour Akoto's appeal that the Habeas Corpus Act of 1816 is, by the Constitution of 1960, a valid and binding law of Ghana.

(iii) In this connection, Mr. Speaker and Honourable Members may recall that early in 1961, a High Court Judge, Mr. Justice K. A. Bossmann, held in the Dumoga Habeas Corpus case that the Habeas Corpus Act of 1816 did not apply to Ghana. When however the question was seriously put to the Attorney-General (Mr. Geoffrey Bing) by the Chief Justice, Sir K. A. Korsah, in the Bafour Akoto Habeas Corpus Appeal, Mr. Bing, faithful to the ethics of his profession, strenuously maintained that the Act of 1816 applied to Ghana. Mr. Bing was allowed by the Supreme Court to make his submissions in a formal document. This was done, and in the judgment delivered by the Supreme Court in August 1961, Mr. Bing's view was upheld by the panel of three

Justices of Appeal namely, Sir Arku Korsah, President of the Court and Justices of Appeal, W. B. Van Lare and A. M. Akiwumi. The position is that the Act of 1816 provides that proof of the truth or falsity of allegations against a person deprived of his precious liberty by arrest and detention, may be established merely on affidavits of the parties (the detainee or his representative and a representative of the Government or other authority). By reason of the importance attached by the Common Law to the liberty of the subject, it was not deemed necessary to leave the trial of the truth or falsity of the allegations to the laborious process of trial by jury. Summary trial on the affidavits was declared to be enough under the Act of 1816. The observance of this principle is a great guarantee for the security of the individual, in the enjoyment of his freedom and liberty under the law.

(iv) I respectfully submit that as I have conclusively proved that the allegations against me are utter falsehoods, the present Government of Ghana should, from a necessary self-respect, consider itself bound by the law of Ghana and apply it to my case, otherwise Ghana's law is debased and insulted, to the disgrace of the Ghanaian personality.

19. It will, I hope, be appreciated by you, Mr. Speaker and Honourable Members of the National Assembly, that whenever a State consciously and continuously ceases to observe the Rule of Law, or the tripartite principle of "Right, Freedom and Justice", and thereby causes any single individual to suffer in his person, or his liberty, or property, or life, that State has passed from the condition of a civilised nation to the brutalities of an uncivilised or lawless nation. The world of Africa, including the assembly or league of Independent African States scheduled to meet in Lagos in January 1962, and also the world in general, are watching us in Ghana in our effort to qualify not only as a civilised nation but as a leading State among the world's, or at least, among Africa's civilised States. It is evident that we would find it difficult to qualify for, and maintain, that status if our Executive of the Government showed a consistent and continuous disregard for the Rule of Law and the precious liberties of its people.

GRIEVANCE C

20. (i) As regards Grievance C, namely, publication by the Government to the public and press of White Paper alleged to contain "ground" for my detention, I would respectfully point out that it is a cause of shame to me to see the Government of my land descend to such a level.

(ii) From listening on the Ghana Radio to accounts of what are said to be contained in the aforesaid White Paper, it appears to be alleged now that it is no longer a question of my acting on a design presented to me on the 12th September 1961, in my house at Accra by a Moslem trader called Annan and a village school headteacher called Bordoh but that long before the workers' strike of the 4th September 1961, I had been conspiring with some unnamed foreign capitalist traders or merchants who are alleged to have passed a sum of £10,000 through me for the workers at Sekondi-Takoradi to induce them to go on strike or start a demonstration against the Government's 1961-62 Budget.

(iii) It is further alleged that it was one Mr. E. Napoleon Grant, a railway worker of Kumasi, who, sometime after the strike on or about the 25th September 1961, gave the Government the information about the alleged £10,000.

21. I think this egregious and outrageous fabrication is beneath contempt and I need not go to great lengths to refute it in detail. It stands refuted by the Government's own ineptitude and childishness in the matter. Mr. Napoleon Grant is with me here in detention at Ussher Fort. He informs me that after the Railway worker's strike had ended, he was taken in a Ghana Government's plane from Takoradi to Kumasi on the 22nd September and from Kumasi he was flown to Accra on the 25th September. He was taken to Flagstaff House, residence and office of the President of the Republic of Ghana, where he met in addition to the President, the following gentlemen, Messrs. Krobo Edusei, Owusu Afriyie, Tawiah Adamafio and Tettegah.

22. Mr. Grant has a vivid account of how all sorts of things were suggested to his mind, but he confirms that he was at the time not a national officer of the Railway Union. He is a member of the Kumasi Executive and had recently been elected Secretary of the Traffic Association. That appointment had not yet been

confirmed at the national level before the strike. Mr. Grant affirms categorically that there is no truth whatsoever in the assertion that he told the President or the Cabinet that some foreign merchants had passed £10,000 through me to the workers at Sekondi-Takoradi to organise a strike against the Government's Budget of 1961-62.

23. Added to the denial by Mr. Grant is the fact that Mr. Grant and I had never met in this life before the workers decided to strike against the Budget in June to 4th September, 1961. As a matter of fact until I met them they were complete strangers to me, Sekondi-Takoradi had never been an area of strong support to me politically, as witness the poor number of votes given me by the twin towns in the Presidential election of 1960. To any one who knows the facts, it must be utter nonsense to suggest that in June or July or August or September, 1961, I went about Sekondi-Takoradi with £10,000 in my pocket to hand it over to persons I did not know in the hope of getting them "to cause the overthrow of the Government of Ghana by unlawful means".

24. But what Mr. Napoleon Grant now or at any time may say is not relevant to the main issue of unjust and brutal treatment meted out to me by the Government of Ghana or its advisers. The main and final question is: Since Mr. Grant saw the President on the 25th September, 1961, or thereabouts, and since the "Grounds" for my detention were contained in a paper dated 6th October, 1961, and served on me at Nsawam on the 7th October, 1961, why was I not informed that I was being detained in respect of my having been used, as alleged, by foreign capitalist traders or merchants with a sum of £10,000 for subversion? Why was I told that I was being detained in respect of an Annan and Bordoh "design" of 12th September, 1961 (eight days after the strike) and not in respect of a foreign capitalist design of June or July or August or September 1961, before the strike of 4th September?

25. The simple answer to the main question posed in paragraph 24 is that the £10,000 story was not brought against me on October 6, 1961, because it had not at that date been fabricated. It follows that as the fabrication must have taken place after October 6, 1961, it could not have been told to the President by Mr. Grant at Flagstaff House on 25th September. It follows that

the £10,000 story must have been invented by an enemy or enemies against me some time after my arrest and detention, and that that enemy or those enemies had no less than 69 days in which to concoct the story and insert it in the White Paper published on or about December 11, 1961.

26. Mr. Speaker: It is my duty to inform you that "Grounds for Detention" against Messrs. Annan and Bordoh and Napoleon Grant do not make any reference to intrigues by any foreign capitalist merchants against Ghana or its Government. The paper containing the "Grounds" was issued on October 6, 1961 under section 2 (2) of the Preventive Detention Act, 1958, and reads as follows:

- 1 J. K. Lamptey
- 2 Ismaila M. Annan
- 3 G. W. Graves
- 4 Atta Bordoh
- 5 K. A. Amano
- 6 W. N. Grant
- 7 A. Y. Ankomah
- 8 K. G. Quartey
- 9 J. B. Benstil
- 10 V. K. Quist

"(a) During the months of June to September 1961, in the Western and Ashanti Regions and in Accra, you engaged in subversive activities and incited others to engage in such activities designed to endanger the security of the State and to cause the overthrow of the Government of Ghana by unlawful means."

"(b) Your detention is necessary in order to prevent you from acting in future in a manner prejudicial to the security of the State."

27. If then at the time of my arrest and of Mr. Napoleon Grant's arrest on 3rd October, 1961 there was no such "design" as any foreign capitalist firms using me, with £10,000 to bribe the workers to go on strike against the Government's Budget, how came my enemies 69 days after my arrest, to invent or fabricate or concoct such an outrageous lie against me?

28. In 1949 certain three men, wishing to climb to the top of

Ghana politics over my dead body, spread a vile campaign against me that in asking the late Sir Sydney Abrahams at a tea party in Lancaster House, London, at the African Conference of 1948, to come back to the Gold Coast, as Ghana was then called, to reorganise our sports for us, a visit which led eventually to the first Gold Coast Sports Ordinance and the construction of the present Accra Sports Stadium, I did so upon a corrupt basis at the instance of the British Government for a bribe of £25,000 for me to abandon Gold Coast Politics for Gold Coast Sports.

29. The men who set this vile rumour in motion against me pointed at Sir Sydney Abrahams, a former Attorney-General of the Gold Coast, and founder and first Chairman of the Gold Coast Athletics Association as the man who brought me and my colleagues of the United Gold Coast Convention a bribe of £25,000 each to turn the people's mind from politics to sports.

30. At that time the evil campaign spread by the three men was made the plank upon which the new party, the Convention People's Party, now the caesarian or imperialist party of Ghana, was founded, the original leaders of the UGCC being those thus sought to be discredited by the fabulous story of their having accepted British money to ease off from politics to sports.

31. It hardly occurred to that over-ambitious political trio that in planning the liberation of Ghana what our wise men of the ages, from Prince Brew of Dunkwa in 1871 to George Alfred Grant in 1947, sought was not merely "the political kingdom" in the hope that "other things" would be added freely, but the total kingdom of modern nationhood, including even culture, literature and sports!

32. I cannot know, but can only guess why years after the great event of 1949, my body which the three believed was dead, should be exhumed from the grave with a sum of £10,000 hung around my neck as money received by me, this time not for myself but for other people to use it and "to cause the overthrow of the Government of Ghana by unlawful means".

33. It is clear that one or other of the three men responsible for the 1949 evil calumny must still be about and is capable of operating on the old model in the hope once again of rolling my body over as if it were dead, and to step over is to cover up aspects of the Government's activities which even now, after



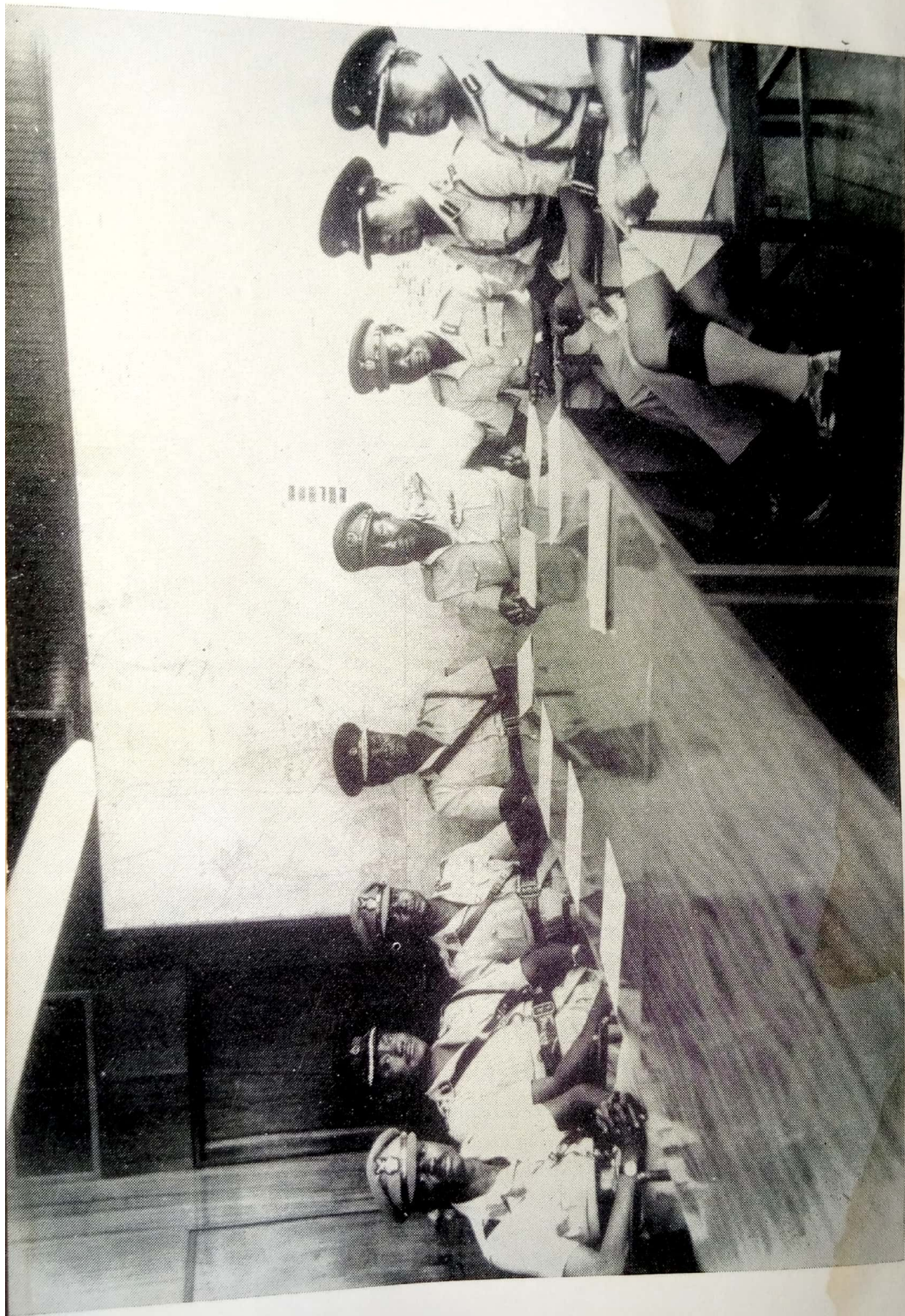
Mr. J. W. K. Tsiboe who died in England in 1963.



The late Otumfuo Sir Osei Agyeman Prempeh II, 1892–1970.



The NLM and her Allies



The National Liberation Council



Members of Parliament—1969 General Elections (Second Republic)



Lt.-General Afrifa, Chairman of the NLC and Presidential Commission and the Press before the dissolution of the NLC, 1969. With him is Col. Yeboah, a member of the NLC.

The Author



(a) Released from Ussher Fort—26th Feb. 1966.



(b) A year later.



Nana Ofori Atta II Okyehene. Born 1898



Dr. J. B. Danquah.



Dr. K. K. Taylor, a casualty in the struggle

twelve weary and exhaustive years, I am still able to show up as the black star or the dark area of murky darkness against the brilliant light of the nation's true salvation and the sun of its grand deliverance.

34. In 1951 and 1952 in the Gold Coast Legislative Council I had occasion to point an accusing finger at the three men responsible for the evil rumour against me, but although they were then members of the Government of the day, and piloted the Gold Coast Sports Ordinance through the House, and also supervised the opening of the Sports Stadium, they were unable to stand up to the falsity of the evil campaign nor to excuse themselves in any way.

35. It is perhaps my fate that, once again, even when I am behind prison bars, a similar evil campaign should be started against me in 1961, twelve years after the first!!! In this plight I can only call upon the Ghana nation and its august National Assembly to apply their capital mind to the facts, to let the truth prevail, and, as Milton said, "to justify the ways of God to man".

36. Mr. Speaker and Honourable Members of the National Assembly, I cannot at this stage expect the nation to offer me any thanks for my 34 years of single-hearted devotion to the national cause, to have been able to give Ghana not only the clarion call to liberation "when the hour struck", but also to have discovered for Ghanaians, after 16 years of research, the glory of our ancient Ghana name and of our philosophy of God, *Nyankopon*, as the Supreme Ancestor and the ideal Head of every Ghanaian family. But although I do not expect any kind of thanks now for giving our country's several tribes the basic foundation of a common nationhood—GHANA—of which the people first became fully conscious during the March 6, 1944 nation-wide centenary celebrations of the Bond of 1844, I entertain the hope that my countrymen—and the women too, will leave me alone to enjoy quietly my poverty in my ripe age of six and sixty years, and not again seek to pile grief on to the glory of my greying hairs.

37. Under Head "C" of my grievances, namely publication by the Government of a White Paper containing new, strange and unchartered Grounds not served on me within the statutory period of five days, or at any time hereafter, I respectfully ask

you, Mr. Speaker and Honourable Members of the National Assembly, to call upon the Executive of the "Government" by Resolution or otherwise to withdraw the White Paper and its charges from circulation against me, and to order that I be immediately released from detention on the following, among other grounds:

- (1) The White Paper was unjustly and irregularly published against me, the "five days" rule;
- (2) Its contents are false, as affecting me, at least; and
- (3) Contrary to a provision in the Preventive Detention Act, 1958, a fresh charge has been brought against me while I was already in detention on a different charge.

38. Finally, as I have been out of touch with the Parliament of Ghana for nearly four months, and as no member of the Minority Group or of the Majority Group in Parliament has been permitted to visit us in prison (except Mr. H. S. T. Provencal in an official capacity), I have not asked any particular member of Parliament to sponsor this petition before your Honourable House. I respectfully submit, however, that it is open to any member, such as the one described by Mr. Justice K. Adumua Bossman as "humanitarian Parliamentarian", whether of the Minority Group (e.g. Mr. B. K. Adama, Minority Chief Whip, or Chief S. D. Dombo, Minority Parliamentary Leader), or of the Majority Group, to move or second the motion. I prefer to leave this aspect of the matter to be arranged and settled by Mr. Speaker, in accordance with the Standing Orders or by a special dispensation in the circumstances of my case.

39. Mr. Speaker and Honourable Members will be aware that by judgments of the Supreme Court of Ghana, the Judges of the Court of Appeal, as well as the judges of the High Court, three of the former and six of the latter, have declined to exercise their power, by the terms of their official oath, to judge between the President of the Republic and other citizens of the Republic. The courts have held that although the individual arrested and detained is privileged and entitled to make "representations" against the Order of Detention, they the judges cannot deliver any opinion as to the truth or validity of the representations. That is to say, if, by the evidence, it would appear that the President of the Republic was misled on the facts, and that the

facts supplied him by his Security Police and other officers were false, or even fictitious, they, the judges of the Republic of Ghana, will not say so. They hold, as the Supreme Court held in Bafour Akoto's appeal, that "plenary administrative discretion" is given to the Governor-General (now the President) under the Act of 1958 to do what he likes, so that even when the charges are all false the judges whose duty is to judge between any two persons, must not say so to the President and demand the release of the detainee.

40. It is clear that under such circumstances a premium is placed on the rule of man as against the rule of law, and the terms of the official oath for Judges to judge between any two persons are reduced to a nullity. Ghana thus becomes like a ship at sea with a captain but without a compass. In which case God save Ghana.

41. It seems to me, however, that there is hope for Ghana. Given another opportunity, the Supreme Court may be persuaded "to behold the wonders of our law" and to realize that it has misled itself upon the meaning, reasoning, and intent of the Parliament of Ghana when in 1958 it made provision in the Preventive Detention Act that the detainee should be served with the grounds of his detention and that if he had any objection to his detention he should make representations against the Order to the Governor-General (now the President). The Supreme Court does not seem to have kept in view the meaning of "rule of law" which was made familiar by Professor A. V. Dicey to lawyers of the Common Law Countries in three or four continents, as practised in England, in the United States and Canada, in Australia and New Zealand, and in India and the new Commonwealth countries of Africa, including even South Africa!

42. In his book, *The Law of the Constitution*, published in London in 1885, Dicey gave at least two clear meanings of the juristic term, "The Rule of Law". He showed it to mean that "No man is punishable or can be lawfully made to suffer in body or goods except for a distinct breach of the law established in the ordinary legal manner before the ordinary courts of the land". This "rule" was contrasted by Dicey with every system of government based

“on the exercise by persons in authority of wise, arbitrary or discretionary powers of constraint”.

43. According to Professor W. Burnett Harvey of the University of Michigan, this is the concept usually referred to in the United States as “the due process of law”, which, he adds is surely “part of the conditions of responsible and respectable government”, a government based on what the Professor calls “The Ideal of Just Law”. Mr. Charles S. Rhyne, President of the American Bar Association, has described this concept as meaning “a great deal more . . . than mere obedience to written law. . . . We mean acknowledgement of the fact that there are moral limitations on civil power. We mean that human beings have rights, as human beings, which are superior to what may be thought to be rights of the State or of society”.

44. This, of course, is exactly the opposite of what the Supreme Court of Ghana has held is enshrined in the Preventive Detention Act, 1958, namely that Parliament in 1958 intended and enacted that the Governor-General, as a person in authority, should exercise “wide, arbitrary or discretionary powers of constraint”, (called by the Supreme Court in the Bafour Akoto case, “plenary administrative discretion”), without any reserve of power in the courts of the land to see whether the Governor-General was imposing such “constraint” judiciously, i.e. according to law, or according to truth, or, as Aristotle said about 2,260 years ago, according to “the pure voice of God and reason.”

45. Mr. Speaker and Honourable Members of the National Assembly, I feel certain that the recent upheaval of wholesale detention of free-born Ghanaians by the Police all over the country—a practice which has put “the fear” of politics or of Government into the hearts of the people so much so that they are even afraid to come forward to register their names as voters—I am sure this upheaval may have the effect of compelling the Supreme Court to exercise a higher order of judgment if called upon again to look into the Preventive Detention Act, 1958. If given such an opportunity the Court is likely to revise its earlier decision and to deliver an opinion exactly in accord with the meaning and intent of the Ghana Parliament—in inserting a provision that when the Governor-General (now the President) made an order against a Ghanaian, that Ghanaian, if aggrieved

by the Order, was entitled to make "representations" against the Order. The courts were established to judge between persons who are subject to law, including the Governor-General or the President or even the Government, and it is up to the judges not to shirk their duty but to judge between right and wrong, true and false whenever asked to do so by a citizen of the land, or any one subject to the law.

46. I may be permitted to add that if the Supreme Court of Ghana saw its duty in this light and revised its earlier opinion, the judges of Ghana will have saved the President (successor of the Governor-General) from the facile temptation of causing nearly every opponent of his to be arrested and detained under the Act. What is more, a revision of the judges' views of the Act may save this country, Ghana, from the embarrassment of being looked upon by outsiders as a country practising jungle law. But my own immediate hope is that where the Judicial Authority as well as the Executive Authority, as the last resort and bastion of the oppressed, will come to his timely aid.

47. Mr. Speaker and Honourable Members of the National Assembly, I have written this Petition on behalf of myself because I am told that the regulations of this prison do not permit any one to be an advocate (*Okomafio*) of another person. The Christian rule of "love thy neighbour as thyself" or "be a good samaritan" does not apply in this prison. I have therefore to give up my usual role of *okomafio* and speak for myself alone in this Petition.

48. But I am in a position to assure you, Mr. Speaker and Honourable Members that many are the detained sons and daughters, and fathers and mothers of Ghana, who could submit a similar plea to your august House. . . . Some of these are young toddlers aged 14 or 16 years. Others are old and wizened grandfathers of 83 or even 95 years of age. I am certain that any favourable decision you, as the Sovereign Parliament of Ghana, take in my case, will have a similar effect for hundreds of Ghanaians from all parts of the country and from many families of our land—husband and their wives, in one case, a father and his son, the latter an MP, the former a chief, in this prison alone about 450 in number, who are now held in prison under the PDA, and denied access to lawyers or to the justice of the Judicial Authority of the land, or the Executive of the land.

49. From the bottom of my heart I sincerely hope that you, Honourable Members of Ghana's Parliament, who are elected by the people to create laws for the better governance of Ghana, will call for and insist upon total respect for those laws, and in good time.

50. Indeed, considering the fact that the memorable words inscribed on Ghana's Independence Arch and underneath the nation's Coat of Arms are "Freedom and Justice", words to which I would wish to add the basic foundation of it all—"Right" such that our nation's sacred motto should read "Right, Freedom and Justice"—considering this situation and the further fact that members of Ghana's Legislature are the great guardians of the tripartite principle of Right, Freedom and Justice, I feel, indeed, I am confident, that this Petition will not fall on ears that are deaf. If it does, then, the consequences may be that I, and others similarly placed as I am, might be destroyed in the process, but it will be the destruction of martyrs, martyrs of their country's great liberation, liberation from all kinds of imperialism, whether it be from the imperialism of Britain's white-heated frying pan, or from a fall into the hellish black fire of the imperialism or caesarism of what is now referred to daily on our national Radio as "The Party", as if there was only a monolithic party in Ghana and no other party in our land—the land liberated by us all for all.

And Your Humble Petitioner, as in duty bound, will ever pray.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

(Signed) J. B. DANQUAH.

STATEMENT

NAME: Joseph Boakye Danquah

ADDRESS: H/No. C.34/4, Nkrumah Road, Kokomlemle, Accra

OCCUPATION: Barrister-at-Law, AGE: 66 years. SEX: Male

NATIVE OF: Ghana (Akim-Abuakwa).

It is correct that on the morning of 3rd October 1961, I telephoned to Mr. Obetsebi-Lampsey to say that his name and my name were on the list of persons to be arrested that day. Early on the morning of 3rd October, Amponsah Dadzie of Cape Coast came and reported to me that the Police at Cape Coast had visited the house of Ekow Richardson and he Amponsah Dadzie believed that Richardson was in Accra. He asked me whether I could make enquiries from the authorities, i.e., either the Police or the Minister of the Interior what it was all about. I told Amponsah Dadzie I was going to court and that when I came back I would see what could be done. I went down to my office between 8.30 and 9 o'clock and then a telephone call came from Sekondi that some people had been arrested there. I cannot remember the name of the person who called from Sekondi. Whilst I was waiting in my office somebody I cannot now remember came and said he had heard that Mr. P. K. K. Quaidoo had been arrested. I left the house and went to court. I went to the Supreme Court and waited till about 11 o'clock when I was told by the Court that my case would be taken the next day. As I was going down the corridors to the robing room I met somebody, a gentleman, that is to say, a Police Officer in mufti who I believed is called Nunoo, who told me that he had heard that my name and Obetsebi-Lampsey's name were included in the names of persons to be arrested that day. He did not say anything more than that. The meeting was just accidental and Mr. Nunoo continued on his way and I also went away after saying "thank you" to him. I remember that it was after I had left the Court that I telephoned to Obetsebi-Lampsey from a house I am not now prepared to disclose. Just before I left the Court a Police Officer in uniform whose face was familiar to me as a Senior Police Officer came to my car and said I was wanted by the Commissioner of Police. I said the Police Commissioner knew my house and if he wanted me he could come there. Then the Officer said "No", and said he was told to bring me to the Police Station. I told him that he ought to know that if he wanted to arrest me he could not do it in the Court. He said he knew that and he offered to come and sit in my car and accompany me to my house and I said "No" and I drove away. It is not correct that I mentioned other names

such as Victor Owusu and Joe Appiah to Mr. Obetsebi-Lampitey. I could not have known at the time that they were to be arrested.

(Signed) J. B DANQUAH
6-10-62

W/W to Signature:
(Signed) A.S.P./S.B.

I hereby certify that I have read and explained the contents of this document to the person whose name is annexed and that he approved of them by appending his signature.

(Signed) A.S.P./S.B.
6th October, 1962.

“A” Hall,
Ussher Fort Prison,
Accra, Ghana,
30th April, 1962.

To the Clerk of the National Assembly,
Parliament House,
Accra, Ghana

Sir,

These are “days of confused thinking in the field of social doctrine”—Archbishop Amissah, *The Catholic Voice*, March, 1962, p. 42.

A Petition to the Clerk of the National Assembly for a certain action on the Petition to the Parliament of Ghana by the undersigned, a free citizen of Ghana, arrested and detained on the 3rd October, 1961.

Sheweth as follows:—

Despite the recognition by me in paragraph 38 of my Petition of the 30th January 1962, that there were technicalities to be met before the Petition could be formally presented to the

National Assembly, I have the honour to bring to your notice that in his reply No. 1570/2 of the 22nd February, 1962, the Honourable Speaker has thrown the ball back to me with a reminder that "every petition to the Assembly must be presented by a Member of Parliament".

2. I enclose a copy of the Speaker's letter of the 22nd February, 1962. The original of my Petition of the 30th January 1962, returned to me by the Speaker is also enclosed.

3. You will notice from paragraph 38 of the Petition that after having confessed that owing to the hardships and restraints of my incarceration under PDA, I was "out of touch" with Parliament and therefore unable to submit the Petition direct through any particular member, I prayed that from a recognition of my difficult situation, a dispensation might be granted me for the Petition to reach the House by the usual process of suspending the relevant Standing Orders.

4. Going over paragraph 38 of the Petition you will notice that I specifically gave the names of two distinguished Members of Parliament who could present the Petition to the House, namely, Chief S. D. Dombo, Douri-Na, Parliamentary Leader of the Minority Group, and Mr. B. K. Adama, Chief Whip of the Group.

5. Whether before replying to my Petition the Honourable Speaker consulted these two MPs or not I am not in a position to know. You will, however, notice that my Petition, addressed exclusively to the Parliament of Ghana, through the Speaker of the National Assembly, while not suffered to reach the House at a time the National Assembly was actually in session and meeting in Accra in February 1962, was nevertheless passed on to certain five persons, four of whom are in no sense Members of Parliament and who are therefore not privileged to comment upon communications between Parliament and a registered voter of the Ghana Democratic Republic.

6. The five persons to whom the petition was sent for their "comments and recommendations" are: (1) The Commissioner of Police, (2) The Attorney-General, (3) The Principal Secretary, Ministry of the Interior, (4) The Director of Prisons, and (5) The President.

7. As you are aware, of these five citizens only the President is a constituent member or coefficient of Parliament. All the others are in the strict sense of the term "strangers" to the House in so far as privileged parliamentary processes and communications, which are *sub judice*, are concerned. It may be said that those four people were asked for their "comments and recommendations" as advisers or executive officers of government. But you will, I feel certain, agree that advisers to the Executive of Government are not advisers to Parliament or the National Assembly. This latter, like the Supreme Court, is a self-contained entity and not a department of the Executive. But perhaps this remark does go too deeply into the metaphysics of parliamentary democracy which are, I happen to know, anathema to certain persons attuned to the authoritarian or totalitarian ways of governing human beings by showing them "where power lies".

8. Sir, I cannot know how far this breach of privilege of asking for the comments and recommendations of "strangers" resulted in influencing or prejudicing the Honourable Speaker's decision on my Petition, but you will appreciate that where the single-handed individual and unprotected citizen is pitched against the enormous and overwhelming power of government, he is bound to stand doubly crushed and oppressed if other people's comments and recommendations are to intervene between him and his bastion of right, freedom and justice—the Parliament of his land.

9. However, in view of the prejudiced situation thus created, and in order to enable me to comply as far as I can with the Speaker's specific requirement that my original petition "must be presented by a Member of Parliament", I consider it the wisest and most advisable approach for copies of my original Petition to be furnished to the Members of Parliament mentioned below for them to present same by giving formal notice of it to you in the appropriate manner, and to make the appropriate motion on the appropriate occasion in the House.

10. The alternative to that procedure is for me to send copies of the Petition direct to the Members of Parliament mentioned below in the hope that such copies would reach them and that such MPs would be active or live Members of Parliament at the time the copies so reached them, and also that when the

opportunity ripened for the motion to be moved in the House, such MPs would still be members of the House with the right to address the Speaker of the Assembly.

11. Sir, I am unable to make use of the alternative set out in paragraph ten above for the simple reason that for some time now Parliamentary seats in Ghana have become the most insecure and evanescent political chairs of power in our unhappy land, even more insecure and more evanescent than the stool or political chair of a chief or Paramount chief. As was laid down in the Magna Carta of 1215 these rulers of Ghana towns, divisions and states cannot, under the customary law, be removed or destooled without the consent, by trial or otherwise, of their peers in the State Council. But quite the opposite is now the case with our Ghana MPs many of whom have recently been removed without the consent of their peers in Parliament. In fact Ghana MPs have ceased also to enjoy the statutory right of protection from arrest which, on paper at least, belongs to them alone in this land of unhappy Ghana under the Parliamentary Privileges Act.

12. Perhaps it is due for me to explain what I mean by "the insecurity of Parliamentary seats in Ghana". Mr. Speaker's letter of the 22nd February 1962, discloses that my Petition was "despatched" to him "on the 1st February 1962". Now, on this same day of 1st February 1962, I, as an inmate of Ussher Fort Prison, witnessed the now familiar horror of a member of our august Ghana Parliament being marched to the prison yard and into a cell, like a common felon or rogue, with other persons (in this case, 24 altogether, i.e. 22 men and two women, including a highly deformed hunchback) who usually turn out to be voters in his constituency. I refer here to the arrest and detention of Mr. Daniel Kwame Afedo, MP for the Anlo South constituency, successor in Parliament of that intrepid parliamentary expert in finance, Mr. Modesto K. Apaloo, detained in 1958.

13. When Mr. Afedo, who is a member of the United Party, was brought in to us, all he could say was that at about 2.30 a.m. in the early morning of 1st February 1962, certain Police Constables woke him up by banging at his door in his village of Avume, three (3) miles from Anloga. When he went to the door he was told that he was wanted by the Police Commissioner.

Although he pressed for a chance to return to his room and put on suitable clothing, including knickers or avente (*Pieto*), the Police resolutely refused to allow him to return to his room. They compelled this Ghana MP, aged 62, to depart from his house to meet the alleged Police Chief in his bed clothes. He was taken away in a Police car and was not even allowed to return to his room to tell his wife and child that he was being taken away by the Police of Ghana to a place unknown to him.

14. At Ussher Fort Prison, Mr. Afedo and his male colleagues were kept till 12th February, when they were served with papers called "Grounds for Detention" dated 9th February, 1962. That is to say, those who grossly interfered with the Parliamentary immunity of Mr. Afedo on the 1st February, had no idea of why his liberty was being trespassed upon until no less than eight days had elapsed after his arrest. Only in a country without law, or respect for law, must one expect and experience such horrors usually associated with savage society.

15. Sir, you will appreciate that had my petition of 30th January, 1962, been "despatched" on the 1st February, 1962, to Mr. D. K. Afedo, it could not have reached him, or if it did, it would have reached him at a time and place he was either no longer functioning in Parliament, or had been incapacitated from doing so.

16. You will, I am sure, not be slow to recall that this calamity of taking liberties with the liberties of an MP is not confined only to Members of Parliament of the so-called Minority Group. On the 7th November, 1961, a Member of Parliament belonging to the governing or Majority Party, the Convention People's Party, namely Mr. W. A. Wiafe, was arrested at his home in Farrar Avenue, Accra, at about one o'clock in the night, his house having been surrounded earlier that night by the Police during his absence in town, and without his or the Speaker's permission, previous knowledge or consent. Mr. Wiafe was taken by the Police Constable to the Central Police Station in Accra with intent to lock him up in a cell there, but finding that the criminal cells were all full, he was taken to a cell in the police station at James Town.

17. You will, I am certain, recall that as an MP, Mr. Wiafe was, up to the previous September, a Parliamentary Secretary

or Deputy Minister in the Development Secretariat, that is to say, he was considered by the Powers that be to be a trusted and trusty MP, fit for public office in the very first Executive of the Republican Government of Ghana established in 1960. If subsequently in the opinion of the Powers that be, Mr. Wiafe was suspected of being a rogue and not a person fit for public office what was the court of competent jurisdiction that declared him to be such a person?

18. Sir, my painful and unhappy impression of the prevalent insecurity of parliamentary seats was fully confirmed when on the 11th December 1961, to the great astonishment of the inmates of Ussher Fort Prison, this highly trusted Member of Parliament and of Ghana's first Republican Cabinet or Executive was marched into Ussher Fort Prison with the story that he had since the week of Queen Elizabeth's arrival in Accra been under Police arrest and that for the long period of thirty-four (34) days he was never taken to any court to justify his arrest or continued custody by a Ghana policeman.

19. As Mr. Wiafe, as an MP, represents anything between 30,000 to 50,000 registered voters of Ghana, three or more times greater than the total number of 10,000 paid persons in the Ghana Police Service, one had to wait, but wait in vain, for the particular law under which a police constable or a police officer could proceed to place a member of our Ghana Parliament in his own custody for 34 days, the only law in Ghana on the subject being one which allowed the police to arrest a citizen (but not an MP) for a suspected offence and keep him in his own custody for 24 hours (not 24 days), taking him, as soon as might be possible, within that period before a Magistrate for an order as to custody or bail. It is in fact the statutory position in Ghana that in the case of an MP, no arrest is to be effected without specific permission of the Speaker, the reason being that an MP is not just an individual but the elected representative of a sovereign constituency entitled to the requisite immunities which Ghana and other civilized nations accord to all ambassadors or representatives. But perhaps our country is in such a sad condition our police are not aware of this fundamental guarantee without which no representative democracy can claim to have legs, not to talk of possessing a thinking brain.

20. Sir, I am not aware that as affecting Mr. Wiafe or Mr. Afedo, the Honourable Mr. Speaker raised the matter in Parliament, nor whether any motion was made on Mr. Wiafe's or Mr. Afedo's behalf by any MP. I am not, in fact, aware, whether Parliament moved an adjournment in protest against the gross assault on Parliamentary privileges in the unlawful custody by the police of a Ghanaian Member of Parliament. It was of course, open to the Speaker to offer to resign his appointment as Speaker unless the shoddy and illegal treatment given to MPs under his jurisdiction was reversed. But I did not hear of any resignation or of any threat of resignation by the Speaker in jealous protection of the privileges of Ghana's own Parliament of which he is the supreme head.

21. On the 15th December 1961, four days after his imprisonment in Ussher Fort, and 38 days after his arrest, Mr. Wiafe was handed a paper in the prison which purported to be "Grounds for Detention" under the Preventive Detention Act of 1958. As you will be aware, nowhere in that Act is any one empowered to arrest and keep in custody another person for a number of days greater than five (5), unless within the first five days of his arrest he is notified of his detention under that Act and served with the grounds for his detention in that period.

22. As aforesaid, Mr. Wiafe's case is cited here as another instance of how insecure the position of an MP has become in Ghana. I could cite and expatiate at great length on the cases of four other MPs, three of the United Party, and one of the Convention People's Party, namely Mr. Victor Owusu, MP, Mr. Joe E. Appiah, MP, Mr. S. G. Antor, MP, on the one hand and, on the other hand, Mr. P. K. K. Quaidoo, MP, who had held high office in the first Republican Cabinet of President Nkrumah as Minister of Social Welfare. Let me say briefly that all four were arrested on the 3rd October 1961, and in no case, so far as I am aware, was the permission of the Speaker sought for or obtained for any such arrest, nor, in any case, was the question of assault on parliamentary privileges raised in Parliament by any member or by the Speaker. No public enquiry, or a court trial, nor even an impeachment has taken place in any of the four cases to pacify or placate the ire and astonishment of some 200,000 registered voters of Ghana in

four sovereign constituencies for the very illegal and uncivilised and disrespectful manner in which their representation as voters in Parliament was trespassed upon and trampled down.

23. Sir, you are in a position to appreciate that the contemplation of the possibility of 10,000 officers and men of the Ghana Police Service being let loose on 104 elected representatives of the people, plus ten (10) appointed women members, a total of 114 MPs, (about 87 Police to each MP), does not make it easy for any Ghanaian to be sure that parliamentary seats are what they are under the law.

24. According to current practice any Policeman, or any number of Policemen, could, at any time, and, in particular, in the middle of the night, surround an MP's house and, without the Speaker's Warrant, take the MP to a police station, lock him or her up in a police cell, and not tell any judicial authority or court about it, but keep him or her there for as long as 34 days at his police pleasure. Has Ghana then, under the new dispensation, her hard-won freedom, been sentenced to police servitude for life? Where the laws of a country passed by the democratic Parliament of the people ("One man, one Vote"), come to be treated so easily with utter contempt by the executive arm of the law, that country has ceased to be classified by civilized people as democratic and has become a police state or a savage country.

25. But much the most notorious instances of the insecurity into which Ghanaian Parliamentary seats have fallen are the cases of Mr. K. A. Gbedemah, MP, for ten years a Minister of high grade in every Government formed by Dr. Nkrumah since 1951, and Mr. Kojo Botsio, MP, also for ten years a Minister of high grade in every Government formed by Dr. Nkrumah since 1951. My information is that without any resolution of Parliament, and without a vote of their respective sovereign constituencies, and without any decision by any court of competent jurisdiction, or impeachment by Parliament, these two eminent Parliamentarians who, in their own way, have helped Dr. Nkrumah to make history for Ghana, at home and abroad, were forced out of our national Parliament by the decision of a party caucus called the Central Committee of the Convention Peoples Party. That decision gave the impression

that these two men, while serving as Presidential Commissioners, had undermined their own Government by "aiding and abetting" an alleged illegal strike by Government workers, a decision which paints the two gentlemen in the most lurid colours as rogues of the lowest degree.

26. Sir, the elimination of these two persons from Parliament without calling upon the nation for a decision, and without giving them any credit whatsoever for their past services to the country, makes a strange blot on the status of Ghana MPs. We know, for instance, that a public library, built with public funds, has recently been named after one George Padmore, a person unknown to the Ghana Parliament or the Constitution, either as a voter or a citizen. We know, too, that the famous street, Barnes Road, Accra, has since last year been named after this same George Padmore. It is a part of Ghana's proud history that Barnes Road (dividing Victoriaborg from Ussher Town), was named by the Colonial Government after Mr. C. A. A. Barnes of Cape Coast, a distinguished Civil Engineer and Architect, who is said to have risen to become Director of Public Works, and who was the builder of Accra's Holy Trinity Cathedral and other famous buildings in Accra, including St. Edmunds and the Race Course. It is even said that Mr. Barnes (whom I knew personally during the second decade of the century as an outstanding personality in Accra) took part also in the construction of a tunnel under River Thames in London. Today, the road named in the honour of this very distinguished Ghanaian, has been renamed after George Padmore, so that the glory of Barnes Road is now tarnished in George Padmore. But for their ten years of Parliamentary work for Ghana, nothing, not even a nursery school or a primary school was named after Gbedemah, Ghana's first Minister of Health, or Botsio, Ghana's first Minister of Education.

27. As suggested above, up to a few weeks before the uncere-
monious removal of these two gentlemen from public life, they had held the highest constitutional political posts in the land, next to the President's, namely, as members of the Presidential Commission during the President's tour of the Eastern European countries and Communist China in the summer of 1961. Their colleagues in that uppermost national post was the Honourable

Sir Kobina Arku Korsah, kt, kbe, Chief Justice of the Supreme Court of Ghana. Despite what the two politicians have achieved for their country in a period of ten years, they have been made the targets of an ungracious deprivation of their seats in Parliament in disgrace, even though not in any way discredited by evidence established by an unquestioned judicial authority.

28. Sir, it is clear upon this that, if an MP, however eminent, can be forced out of Parliament in practically the same manner as a timekeeper would be dismissed in a labour camp, then the pretended protection or privilege which Members of Parliament are said to enjoy under the laws of Ghana is no longer dependable. If Mr. Komla Agbeli Gbedemah, the celebrated organizational pillar of the Government's own party, the CPP, and Mr. Kojo Botsio (Baden Powell)* the celebrated keeper of the ideological conscience of the Party in power, were not secure in Parliament, nor were Wiafe and Victor Owusu and Joe Appiah and Antor and P. K. K. Quaidoo and D. K. ("Why worry"?) Afedo, secure in Parliament, who else is secure? Could I be sure that any member of the Ghana Parliament to whom I might "despatch" a copy of my petition direct for the necessary action would be there to receive it when the Post delivers the letter to his address, to enable him to table the petition and move it in Parliament? There is not, so far as I can see from my present situation, any assurance of certainty in the matter, I have therefore no alternative but to submit the names of some of the several persons known to me as MPs and to any in the name of the merciful, just and beneficent God, to condescend to embrace my Petition of the 30th January 1962, for presentation to the National Assembly, with all due dispensations and considerations as they may think my case entitled to receive.

29. (i) I mention first, DR. ISAAC BOATENG ASAFU-ADJAYE, MP, who is the oldest Parliamentarian with whom I have had the longest political association dating from 1922 in London where the Gold Coast Students Association was formed (with him as President), and through which the ideology of the Gold Coast as a specific nation was formulated to be advanced and intensified in contrast to the then fashionable (British) West

*When a secondary school teacher Mr. Botsio was known as Mr. B. P. Botsio.

African Congress idea sponsored by the older Gold Coast politicians (Casely Hayford, E. J. P. Brown, Kobina Sekyi, Kitson Mills, Hutton Mills & Co.) of the time.

30. Together with Dr. Asafu-Adjaye and myself in London at the time (a brilliant company who were lucky in 1926 to hear what was probably Dr. J. E. K. Aggrey's last address to any Gold Coast Group before his fatal trip to the United States) were Gold Coast men (and one woman) who have since risen to eminence and distinction in the life of New Ghana. I recall Sir Edward Otchere Asafu-Adjaye, Mr. Charles F. Hayfron Benjamin, the late Mr. Harry F. Hayfron Benjamin, Sir Samuel Okai Quarshie-Idun (now Chief Justice of Western Nigeria), Mr. Justice Charles Sterling Acolatse, Mr. Justice Kofi Adumua Bossman, Mr. Robert S. Blay (President of the Ghana Bar Association and a Director of the Bank of Ghana), Dr. Ignacius J. Amorin, of the Korle Bu Hospital, His Excellency Mr. Sylvanus E. Olympio, President of the Togo Republic, and Miss Aline Brandenbourger, now Mrs. Justice W. B. Van Lare.

30A. Upon the return of this group one of the first public acts they performed was to establish a ginger and propagandist movement called the Gold Coast Youth Conference (1927-47). Its aim was to make Gold Coast men and women, especially the educated ones, become fully aware of the country's competence for self-government and to prepare the people in general for the fruits of the universal revolution or "wind of change" brought about by the urgencies of the two World Wars of their own generation (1914-18 and 1939-45). The solution of how the Gold Coast avoided the tragedies and murders witnessed in places like the Congo and Angola, and even India, in the pursuit of the path to self-government is founded in the many years of work put in by the Youth Conference. In a period of some twenty years during which the Youth Conference persistently applied what Disraeli in a similar situation called "a policy of quiet reform", the colonial Gold Coast of 1927 eventually became the independent Ghana of 1957 without a blood-bath.

30B. If historians look for the men who set such a superb example for their countries in West Africa to follow, they would discover that the first national secretary of the Youth Conference was Mr. (now Justice) K. A. Bossman, at the time a young

barrister in Kojo Thompson's chambers. The first national Chairman of the Conference was the veteran public benefactor, Mr. John ("Faithful") Buckman, now a retired surveyor originally trained in Ceylon. I myself occupied the post of General Secretary from 1936 to 1947 and Dr. I. B. Asafu-Adjaye was the national Chairman of the Conference held in 1938 in Kumasi, a conference which with our permission, was addressed by the Governor Sir Arnold Hodson, a speech in which he announced the establishment for the first time of a Labour Department in the Gold Coast. Others who addressed the annual conference of the movement included such well-known personalities as Casely Hayford, Kobina Sekyi and Nana Ofori Atta I, at the first annual conference held at Achimota. A notable recruit captured by the Youth Conference for politics from the New Achimota cadre of youths was a handsome candy manufacturer and poultry keeper called K. A. Gbedemah. At my invitation Mr. Gbedemah gave the last of the 12 months talks at the Rodger Club on "Whither are we drifting?" at which other speakers were veterans like G. E. Moore of Cape Coast and A. W. Kojo Thompson of Accra.

30C. Suffice it to say by 1947 when the ginger and propagandist Youth Conference handed the torch over to the politically motivated United Gold Coast Convention, the attractive fruit of Ghanaism was fully ripe, and barring accidents, was quite ready for cautious and gentle picking. The new and selfless generation of the Sergeant Adjeteys and Dzenkle Dzewus was already born for action.

31. Recalling the inspiration of this high-powered background in Britain and at home, I feel fully convinced that Dr. Isaac Asafu-Adjaye, who is the National Treasurer of the United Party of Ghana, the party to which I am proud to belong, is dedicated to the ideology of our Ghana Nationhood and would readily uphold Ghanaism as the greatest ideal and inspiration of all true born Ghanaian thinkers, or Ghanaists.

32. Upon this faith, I earnestly pray that you forward to Dr. Asafu-Adjaye a copy of my original petition, with a copy also of this petition submitting that he may be pleased to move the motion or solution in the National Assembly or second it, or sponsor and support it in its progress through the House.

33. The personal sacrifice involving at least a sum of £1,000 which Dr. Asafu-Adjaye and other United Party leaders made during the last Presidential election is ample evidence that his dedication to the good of his country and of his countrymen, a dedication made originally in a declaration to the Gold Coast Students Association in London some 40 years ago, and continuously demonstrated and displayed by him, from year to year, since his return home as a private medical practitioner, has been the out-come of a serious-minded spirit at once sympathetic, patriotic, patrician and petic.

34. I mention, secondly, my old friend and political colleague, the Honourable E. Ako Adjei, MP. He was one of the young politicians in earnest who early joined with me in affirming the national identity in the battle-cry of 1948; "The hour of liberation has struck", under the banner of the United Gold Coast Convention. He has since then joined those who broke away from the nation's united front, and he is now Minister of Foreign Affairs in the CPP Government.

35. You will, of course recall that Mr. Ako Adjei is the only one of "The Big Six" now found in Parliament. In 1948 under the policy of the UGCC—to liberate Ghana from the British Colonial yoke "in the shortest possible time"—we of the Six suffered martyrdom in pursuit of the supreme ideology of Ghanaism—The grand and dynamic idea that from our ancient and mediaeval Ghana ashes we should create a modern State in the Guinea lands.

36. Just over 14 years ago to the day, on the 13th and 14th March 1948 (this petition was drafted on the 16th March 1962), during certain discussions by five of the "Big Six" around a table in the spacious courtyard of the Kumasi Central Prison when, among other things, the present colours of the Ghana national flag were decided upon (initially for the use of the UGCC) Mr. Ako Adjei showed himself an assiduous student and exponent of the ancient history and philosophy of Ghana and Ghanaism. It is now commonplace that the history of that ideology (including Ghana's rejection of the Moslem religion and her armed opposition to Arabic Colonialism and imperialism in the great year A.D. 1076, resulting in the immigration of our ancestors from ancient Ghana to the lands of the Gulf of Guinea), can be traced

back year by year, decade by decade, and century by century for at least three thousand years, i.e. at least a thousand years before Christ and 300 years before the Ethiopian conquest of Egypt in the eighth century B.C. a XXVth (Ethiopian) dynasty over the throne of the Pharaohs.

37. I am aware, of course, that in recent years Mr. Ako Adjei has given some support to the foreign, artificial and separatist or divisionist ideology of Marxist Socialism, an ideology which, apart from its pernicious bent of trying to create classes in Ghana among equally born patrician communities, enunciates its sordid materialism by quoting and using, out of its context, the Pauline remark that "He who would not work shall not eat", a materialistic outlook rejected by all but a few of the better known portions of the civilised world as inconsistent and incompatible with the realistic needs and targets of the Christian ideal ("The Sermon on the Mount"), or of the Welfare State, in which children, the sick and aged are sought to be looked after even though they do not work.

38. Sir, I am aware that there is much organised talk today about Socialism, or Marxism in Ghana, but one need not search for proof of the inadequacy, fatuity and wastefulness of Marxism to which my old friend Mr. Ako Adjei now appears wedded or at least bethrothed. For evidence, there is to hand the uncontested fact that the three great nations which have achieved an industrial marvel after World War II, namely, Western Germany, Italy and Japan, did so not on a Socialistic or State Capitalist economy, but on the basis of individual initiative and free enterprise guided by the free and intelligent hand of their respective governments.

39. We may appropriately recall in this connection that while today there are no less than 700,000 cars, trucks and motor cycles in the streets of Tokyo alone (as against 59,000 before the War), it is a fact that at the end of World War II, 16 years ago, Japan was unable to supply General MacArthur with 50 cars to move the conquering American General's personal staff in the Tokyo-Yokohama area. Today, however, under the inspiration of the country's free economy and "stimulated by liberal transfusions of United States aid, and propelled by the boundless energy of its people", Japan has emerged as a consumer-oriented society, "and

the first Asian nation to approach a Western standard of living." Last year alone Japan boosted its national output to £15,000,000,000—four times the highest pre-war level. In fact so big is the economic explosion in Japan that its steel industry has increased its output by 480 per cent. In the shipbuilding industry Japan actually "nosed Britain out of the No. 1 spot six years ago." Today Japan holds the world's second place in three top manufactures: (1) in TV production, (2) in synthetic fibres, and (3) in radios. It holds the 4th place in steel, and the 7th place in autos.

40. A look, on the other hand, at two or three of the professed socialist countries, Soviet Russia, Communist China and Cuba, shows great deficiencies in the supply of consumer goods. Russia has been able to perform the marvellous feats of flying to the back of the moon, and of flying a man round the earth several times, but many Ghanaian men and women who recently visited that stupendous country found that production of consumer goods was so deplorably low and so unspeakably expensive that they could not purchase a pair of ladies' sandals for less than £8, or a pair of gentlemen's shoes for under £15, or a gentleman's great coat or a suit for anything short of £60 to £75.

41. As for Communist China, for all its vast lands and vaster populations it was obliged to resort last year to Canada (2.5 million tons) and Australia (2.5 million) for supplies of grain before it could provide adequate food for its millions of people compelled to work on State or collective farms in their several Communes. Early this year, in March 1962, the Chinese have actually been angling to procure 6 (six) million tons of United States wheat and barley over the next three years.

42. As for little Cuba, already its dead-hand experiment of one-party State and Socialism has in less than two years hit the country so hard that butter, meat and milk are already being rationed. Says one account: Facing up to the island's growing hunger, he (Fidel Castro) set new rationing regulations (last week). In Havana, everything is to be rationed. Rice is restricted to 6 lb. per person per month; beans $1\frac{1}{2}$; soap, one cake; . . . eggs, five. Meat is restricted to $\frac{3}{4}$ lb. per week (enough for three small hamburgers). Castro offers such stock excuses for the food failure as the Yankee boycott (although U.S. food

exports to Cuba are still legal), but also acknowledged some of the shortcomings of collectivisation". (March 22, 1962.)

43. Sir, I personally see nothing traditional in the idea that Ghana should, with her eyes open or her eyes half-closed, repeat this soul-searing experiment in Marxist-Socialism, by leaving Ghana's big business in the hands of foreign privately owned firms, aided and abetted by a Ghana Capitalist Government in no way experienced in trade or business whilst the Ghanaian himself, whether big brained or not, is to be restricted and confined to "small trade", or small business" in a small way.

44. Surely it ought to be evident that to confine or limit the energies of a people to "small business" as a general economic policy is to sterilize instead of energize the people's economic capacities. The purpose of a government is not to block or control but to liberate its peoples' energies, economic, intellectual, moral and spiritual. This was the policy I advanced in the 1960 presidential campaign, and I still stand by it. In a recent speech at the opening ceremony of the Memorial Stadium at the University of California, President John F. Kennedy of the United States is reported to have addressed himself to the world struggle for the hearts and minds of peoples, and, predicting the defeat of Communism, said: "The wave of the future is not the conquest of the world by a single dogmatic creed, but the liberation of the diverse energies of free nations and free men". (April 2, 1962.)

45. I am, of course, aware, that as recently as three months or so ago, following the trend of the dominant but lack-history ideology now prevalent in Ghana, Mr. Ako Adjei in an address at the University of Ghana describing the main proponent of Marxist-Socialism in Ghana, namely, President Kwame Nkrumah as the Christ of Ghana and the Christ of Africa, Mr. Adjei using on that occasion the obscurer Hebraic term "Messias" than the better known Greek term "Christos". But I feel almost assured that Mr. Ako Adjei, unless temporarily misled could not have shifted from the humanism of our Ghanaistic history and philosophy to anything so foreign and fragile as the materialistic egocentrism of Marxist-Socialism.

46. This happens to be the case because the philosophy of Ghanaism is the blood of every true born Ghanaian, being in fact the essence of our nation's very soul which is immanent in

the five-fold concept of Ghana's humanist and patrician personality, a personality uniquely realized in the unity of *Onyankopon* (God), *Oman* (State), *Abusua* (Family), *Odehye* (Patrician) and *Amansan* (Humanity), a five-fold concept activated in the five-fold ideology of (1) Theism, (2) Patriotism, (3) Patriarchy, (4) Freedom (of choice), and (5) Humanism. The dominance of these in the Ghanaian personality constitutes the driving or motive force of Ghanaian action and the Ghanaian nature. All the five motives or forces need not be fully highlighted in any one action, but they operate all the same in due proportion.

47. To illustrate for any Ghanaian the high esteem in which this Ghanaian nature is held, Ghanaians—both young and old—are constantly admonished of the very opposite aphorism: *Aninguase Mfata Okanni-ba* "A disgraceful act and the Ghanaian nature go ill together."

48. I believe I am right in taking the view that Mr. Ako Adjei could not have given up his faith in this well-tried Ghanaistic ideology in exchange for the totally strange and new-fangled Marxist type of socialism, which is hardly 40 years old, and which rejects religion and any kind of idealism or humanism from its materialistic interpretation of man's long history. By its creed of "He who would not work shall not eat" it is clear that Socialism takes the self-interest of the individual, his bread or his belly to be "the universal motive force of human nature". It does this without paying any heed to man's permanent motive forces or commitments—the commitment to his God, to his country, to his family and to the dignity of man as man. To hold on to the Socialistic view, the view that the individual's self-interest or his belly is the be-all and end-all of human action is to forget what the Master himself said, in answer to the Devil, that "Man shall not live by bread alone".

49. Indeed, I feel certain my old colleague will readily share my pleasure that this Christian recognition of man's higher nature which condemns materialism to the limbo of valueless materials, is discoverable in our own traditional outlook on life, what the Germans call *weltanschauung*, as demonstrated in the aphorism:

*Mefre sika,
Sika ngye so;*

"I call gold,
Gold is mute;

<i>Mefre ntama,</i>	I call cloth;
<i>Ntama ngye so;</i>	Cloth is mute;
<i>Onipa ne asem.</i>	It is man who counts"

an aphorism which reminds us strongly of the old Anglo-Saxon adage: "It is men, not things, which make a nation great."

50. If, Sir, I am right in my assumptions about the permanence of Mr. Ako Adjei's immanent beliefs and his faith in our Ghanaistic outlook on life, then I conclude that he may feel persuaded to give notice to you of my petition and either make the motion himself or second or support it, and thereby open the way for a full recognition of our greatest law—the protection and sanctity of the rights of the individual under *Magna Carta* in Ghana, such rights to be henceforth honoured and enshrined a specific resolution by our Ghana Legislature. Mr. Ako Adjei, being a lawyer, will recall that at a time when the entire Christendom was torn by doubts as to whether slavery was proper or respectable or according to the will of God, an English judge, Lord Mansfield, had the courage to pronounce in an English court that whatever may be the state of the law in other lands the state of the law in England was such that whoever set foot on English soil was by that very fact free, a decision which thereby made England the great sanctuary of the World's oppressed and enslaved peoples—white as well as black. Would to God that under the wings of my old friend Ako Adjei the Ghana Legislature would make a similar mark on the world's history by placing the individual's right in balance against the overwhelming and suppressive powers of the State.

51. I respectfully ask you to bring my request to Mr. Ako Adjei's notice and leave it to him to choose the line of action he desires to pursue in support of our traditional philosophy and ideology. To enable Mr. Ako Adjei to come to a decision in this matter, I make a similar request as in Dr. Asafu-Adjaye's case, that he be supplied with a copy of this petition and of the original petition addressed by me to the Honourable Speaker of the National Assembly.

52. I mention next (iii) Mr. Archie Casely Hayford, MP. It was at the feet of his eminent father, Ekra Agyeman, otherwise known as Joseph Ephraim Casely Hayford, that I was brought

up, like St. Paul under Gamaliel, and it was from Ekra Agyeman that I learned selfless politics as the sacrificing of one's self totally for one's own country. I sat under his feet from 1915 to his own death in 1930.

53. My particular interest in Mr. Archie Hayford—apart from the fact that he and Ako Adjei and I belong to the same profession and share the same professional ethics of high integrity—is that for some time after the death of his father the greatest name ever in the foundations of our Ghana resurgence—he, Archie, continued to propound his father's ideas in our country's foremost pioneer political paper, *The Gold Coast Leader*. Up to a point, Archie advanced the ideology of Africanism in politics, of which his father had been the originator in West Africa, even as another hallowed name in Ghana's history, Dr. J. E. Kwegyir Aggrey, was the originator of the ideology of Africanism in education.

54. I respectfully ask that you supply copies of the two petitions to Mr. Archie Hayford for him to decide for himself what part to play in moving, seconding or supporting the motion for a resolution to be passed to carry my petition or the essence of it, or such portions of it as he and the others may think fit to advance and support.

55. I mention next the seven members of the United Party of Ghana with whom I share a common policy to liberate the energies of the people for the growth of a property owning democracy in this land, with right, freedom and justice as the principles to which the Government and the laws of the land should be dedicated in order specifically to enrich the life, property and liberty of each and every citizen.

56. This policy, subsequently confirmed under the leadership of Professor K. A. Busia, Parliamentary Leader of the United Party of Ghana, is still the kingpin of UP's liberal motivated policy under the present Parliamentary Leader, the Douri-Na, Chief S. D. Dombo, MP.

57. The UP members I mention in this connection are:

- (iv) R. B. Otchere, MP.
- (v) B. F. Kusi, MP.
- (vi) B. K. Adama, MP.
- (vii) Abayifa Karbo, MP.

- (viii) Jatoo Kaleo, MP.
- (ix) A. W. Osei, MP and
- (x) S. D. Dombo, MP.

58. These seven are some of the men who stood by me as Presidential Candidates in the crisis of the Presidential Election when Ghana was led by the men in power in 1960 to opt for an authoritarian constitution, in which all the powers of the people are placed at the mercy and disposal of the President of the new Republic as against the democratic constitution which came into force on March 6, 1957 (Ghana's Independence Day), under which Parliament was supreme and could, as the sovereign legislature of a parliamentary democracy, throw out any government or executive by declaring by its vote to have lost confidence in the Prime Minister or his Cabinet, a power that now, tragic to relate, no longer belongs to the Parliament of this very unhappy land of Ghana, but belongs to only one authority, the President who, under the Constitution, is not bound to take any one's advice (not even Parliament's advice), but is authorised to act on his own authority, at his own will.

59. Sir, my request, or, more accurately, my prayer, is that as you are, in your office as CLERK of Parliament, or of the National Assembly, in a position to know of the actual or probable sitting members of the National Assembly at any time, it may please you to have copies of this petition and of the first petition of 30th January, 1962 to the National Assembly to be made and supplied to the ten (10) Members of Parliament named in paragraphs 29 to 58 above, with a request that they may be pleased, jointly or severally, to consider the same and give notice of an appropriate motion for the petition to be presented to the House by one or other of them, to be duly seconded in the like manner, and to be supported by such of the ten, or as many of them as may feel willing to do so in the cause of the rightful laws and freedoms and in the name of the justice of this land.

60. I have already said in paragraph 50 of my petition to the National Assembly that it is my firm belief that once the petition is presented to the members of Ghana's Legislature who "are the great guardians of the tripartite principle of Right, Freedom and Justice", the petition "will not fall on ears that are deaf".

Sixthly, recalling the facts of Ghana's history alluded to above in paragraph 36 and Footnote, that, it was "the love of liberty which brought us here" from ancient Ghana to the Gulf of Guinea, it will be evident to the Honourable Members of Ghana's great Parliament that our patrician personality in modern Ghana could be enriched in depth a hundred-fold if we would pray with Benjamin Franklin:

"God grant that not only the love of liberty but a thorough knowledge of the rights of man may pervade all the nations of the earth, so that a philosopher may set his foot anywhere on its surface and say, 'This is my country.'
AND Your humble Petitioner, as in duty bound and by knowledge obliged, will ever pray.

I have the honour to be,

Sir,

Your Most Obedient Humble Servant,

(Sgd.) J. B. DANQUAH.

Ref: No. 167/P/62

22nd September, 1962

His Excellency

The Rt. Hon. Dr. Kwame Nkrumah, P.C., LL.D., etc.

President of the Republic of Ghana,

Flagstaff House,

Accra, Ghana.

Dear Dr. Nkrumah,

I have been wanting to write to you about the falsification of certain facts of our country's history in certain sections of our newspaper press, but the repetition of the bomb explosion, followed by the natural upsurge of public indignation, compelled me to restrain my hands from a belief that you and your staff might be undergoing a severe strain, either of labour or of

emotion, and that you must be spared the extra expenditure of energy to look into such matters closely.

Judging, however, from the strong terms of the demarche issued by the President's Office "following recent complaints by Embassies and other organisations regarding articles appearing in some Ghana newspapers and commentaries on the Ghana Radio", and following also the emphatic statement of the view that the Ghana Government does not control the day-to-day operations of publicity media, "whose freedom to publicise their views is recognised as a fundamental cornerstone of the people's liberty", it has become clear to me that your Office and Staff are likely to be interested in, and, indeed, concerned with, any of such newspaper articles which tend to jeopardise the national interest, or to infringe the sacred boundaries of the facts constituting our nation's history.

The accompanying letter dated 4th September 1962, and addressed to Your Excellency is now being signed and despatched because I have come across a repetition of the same kind of objectionable and disturbing matter in the *Ghanaian Times* of September 21, 1962, in which this time those insulted are not the special national leaders of our past, and the people in general, but our farmers in particular.

The person responsible for the article, who writes on the subject, "Period of Bliss under the Leader", signs it with the name "Willie Donkor".

At page 9 of the said newspaper, Willie Donkor writes: "Ghana's independence has been a relief to our farmers, for before then, the farmers were cheated most of all. It was our colonial 'masters' who decided what price they wanted to pay for their crops. The poor farmers had no mouth to protest against the offer even if the price was very meagre, for there was no second person to compete with the 'master'. It was a trade monopoly in the strictest sense.

What do we see now? The nation has established a centralised corporation which handles all crops in the country and fixes reasonable prices for the respective crops."

This statement not only falsifies our country's proud history of successive achievement from the early course taken by the national intelligence to shape our liberation from economic and

other forms of imperialism, but it actually makes it appear as if until 1957, i.e. until independence, no one in Ghana, or the Gold Coast as it then was, had any guts (or "mouth") to meet and resist oppression or economic deprivation.

What, however, are the facts? One instance of what the facts are in respect of the cocoa hold-up and boycott of European goods, is succinctly set forth at pages 70 and 72 of Dr. F. M. Bourret's outstanding monograph on our country, entitled *The Gold Coast*, published in 1949 by the Stanford University Press, and a second edition of which has since been issued.

She says:

"This boycott, or 'cocoa hold-up' as it was popularly termed, was the direct result of an agreement on the part of European companies to control the cocoa market in both the Gold Coast and Nigeria. As has been seen, the economic life of the Colony depends to a very large extent on cocoa because in some years as much as two-thirds of the entire revenue has come from the tax levied on its export. The world price fluctuated severely during the period 1918-38, going as high as £122 a ton in 1920 and dropping to £18 in 1930. This unfortunate dependence on a one-crop economy caused much distress and uncertainty in the Colony and led the peasant farmer, in his ignorance of the forces of world economics, to suspect that alien capitalists were to blame for the situation. In actual fact the trouble was due in part to a faulty organisation of the cocoa industry within the Colony itself, in part to the situation resulting from the intense competition among the cocoa-buying firms of West Africa, and to some extent also to the unsatisfactory state of the world market for primary produce.

In the mid-thirties the price per ton averaged about £21, but in 1936 various local and foreign influences combined to send it up to £44. The following year the fourteen major firms dealing in Gold Coast and Nigeria cocoa made a secret buying agreement whose purpose was to control the price and prevent the ruinous inter-company rivalry. Several of these firms, especially the United Africa Company, also controlled the bulk of imports into the Gold Coast and had

established merchandise stores throughout the Dependency. If the agreement had succeeded, the African would probably have found that both the buying of his products and the sale of European imports would have been in the hands of a single combine.

In the fall of 1937 rumour of the pending agreement began to leak out among the Africans. Seven years earlier they had suffered in a similar situation and the price of their cocoa had been greatly lowered. This time they decided *to reject it* (Italics mine). By October, the farmers of the Gold Coast Colony, of Togoland, and of Ashanti had united under the guidance of their chiefs or of farmers' unions in a solid determination *to resist to the bitter end* (Italics mine). Not only did they refuse to sell any cocoa whatsoever, but they boycotted the retail stores of the firms connected with the pool. The hold-up lasted from October until the end of April and involved an almost complete stoppage of the economic life of the Dependency. The great personal suffering it entailed was borne bravely, in the hope that once and for all the threat of a monopoly might be removed.

Governor Hodson believed that he should maintain a strictly neutral policy throughout the crisis. That he endeavoured to do so can perhaps be concluded from the fact that both the European firms and the African accused him of favouring the opposite side (Footnote 28: J. B. Danquah, *Liberty of the Subject*, pages 9-24. This pamphlet gives an interesting account of the hold-up by an African writer)".

It is commonplace knowledge to any assiduous student of Ghanaian history (at least I thought so) that this great incident of the third decade of the century led eventually to the appointment of the Nowell Commission, and the Commission's Report led to the establishment of the Cocoa Marketing Board in its original form, namely, with a right in the farmers to appoint their own representatives on the Board to help fix the buying price.

The establishments of the Board led to a steady improvement in the methods of marketing cocoa and it led also to a rise in the price from what it was in 1937 (£44 a ton) to what it became in 1951-52, namely £4 per head-load of 60 lb. or £149 6s. 8d. per ton "*the highest paid since the institution of the Gold Coast Marketing*

Board in 1947". (My italics. *Economic survey* 1952, page 15 paragraph 52.)

I do not dwell at length on the other political consequences of the decision taken by the farmers at that important meeting which was held at Suhum to "reject" the Pool Agreement, but it is a fact that but for the revolutionary action of the farmers in 1937, backed by the Chiefs and the intelligentsia, there would not have been nearly enough money saved in Ghana's national finances at home and abroad for the independence of the country to have been launched on a bouyant financial basis 20 years later in 1957, or on the assumption of self-government in 1951.

I think, Sir, that we in this country often neglected to count our blessings and we abuse our ex-oppressors, the imperialists, much more than we praise our own ancestors for the good they did for us.

I personally do not think we do ourselves any good to let our young people believe that for centuries our own people were incapable of helping themselves in any way, while the so-called imperialists were capable of "fooling" or "cheating" them all the time.

The painful thing is that these facts about the cocoa hold-up must be known to the Editor of the *Ghanaian Times* and his intelligent and able staff, some of whom, such as Mr. R. B. Wuta Ofei, played a worthy part in the newspaper campaign of the time for the farmers and against the Pool. It seems to me that with such staff and advisers available the nation ought to be spared these grating upsets of the country's mile-posts in history by writers who would not care to verify their facts.

However, the reason by which I write to you about Mr. Willie Donkor's article is not to pray that your Excellency may take any particular step in the matter. I mention it here to fortify my hands in bringing Mr. Cecil Forde's article in an earlier issue of the same paper to your Excellency's particular notice, because, in regard to that, I believe that really effective action can only be taken at the highest national level, namely, by the President of Ghana calling upon Mr. Forde, his employee, to apologise to the nation for the insults he offers to our country and the builders of our nation's history.

In another part of the same issue of the *Ghanaian Times*, actually in the editorial of September 21, 1962, a similar false picture is given of our nation's history to the effect that "In the mining areas and in other trading stores, offices and establishments throughout the country, wages were as low as 9d., 1s. 3d. and 1s. 6d. a day, for the toiling and intimidated masses who suffered a ruthless exploitation from the colonialist vampires."

The Editor suggests that this was the position when you, Sir, came to power in the government of the land. The same tale is given classic statement at page 11, paragraph 40 of *Work and Happiness*, a document issued under the signature of the Party in power, the Convention People's Party, but printed by the Government's Press. It is stated categorically in the Party's Draft Programme that "When the Party (i.e. the Convention People's Party) came into power (in February 1951) wages were as low as 9d. per day".

The truth, of course, is that quite apart from the general rise in salary scales brought about by the Revised Conditions of Service for the Civil Service (Sessional Paper No. 1 of 1947), the Korsah Committee, composed of Mr. Justice (Now Sir) K. A. Korsah, Mr. L. A. Northcroft and Nana Kwame Fori II, did in Sessional Paper No. 5 of 1947, raise wages generally from 1s. 4d. to 2s. 9d. in Accra, Sekondi-Takoradi, Kumasi and Railway centres; and from 1s. to 2s. 6d. in the Southern Section, and from 6d. to 2s. in the Northern Section.

In the same year, by reason of claims by the Trade Union for higher wages in the mines, the William Gorman Arbitration was appointed on which men like G. E. Moore and W. E. G. Sekyi and O'Neil Cromwell served.

The Gorman Award, issued in 1947, was very nearly in accord with the demands made by Mr. J. N. Same, General President of the Gold Coast Mines Employees Union.

The wages awarded ranged from 2s. minimum, 2s. 6d. maximum for miscellaneous surface labourers, 2s. 6d. minimum and 3s. maximum for mines labourers; for carpenters, masons, painters and blacksmiths 4s. minimum and 6s. 6d. maximum; and for stenographers 6s. 6d. minimum, 10s. maximum per day.

I am not saying that these wages were high. They may have been adequate in relation to the cost of living at the time.

What I am saying is that it is historically inaccurate and misleading for the Editor of a newspaper, or the writer of a responsible or serious party publication, to state that wages in force in 1951 were 9d., or 1s. 3d. or 1s. 6d. a day, when the public evidence of the actual position in the matter is something quite the contrary.

I think, Sir, that we in Ghana have a big job of work to do, and that if we build our foundations on the basis of facts or truth we are likely to go far, but we will encounter enormous difficulties and misplaced repercussions if the new generation of young and adolescent people are not led to see matters in their true colours.

With this said, I stop here, to direct your specific attention to my letter written early this month, and which I now have the honour to submit to you for most serious consideration to save the nation's name and our ancestors' record from undue "blemishes".

With my warm regard and best wishes for your safety.

I remain,

Yours very sincerely,

(Sgd.) J. B. DANQUAH.

His Excellency
The President of Ghana
and
The Hon. Ministers and Members of
The Ghana Government, Office of
The Government of Ghana,
Accra, Ghana.

The "Special Block"
Nsawam Prison,
Nsawam, Ghana,
8th January, 1965.

DEMAND FOR IMMEDIATE RELEASE AND OPPORTUNITY FOR OFFER OF
AMENDS

Your Excellency and Gentlemen,

Instead of taking me to court for a public trial in respect of the false charges contained in the "Grounds for Detention" served

on me, you secretly committed me to prison at the dungeon at Nsawam in January last year. You thus "prevented" the public from knowing the truth about me. You thereby perverted the course of justice, sullied your good faith, and injured freedom and justice in Ghana.

2. As it now appears, I was committed to prison under the Preventive Detention Act in respect of charges within the exclusive jurisdiction of the courts of justice by reason of the Criminal Procedure Code, *Magna Carta* of Ghana's Republican Constitution.

3. By reason of the above want of jurisdiction in you, my detention in this Prison at Nsawam, which commenced a year ago today, was made by you without any lawful authority and was illegally made, and is void.

4. I hereby give you this opportunity to make amends. I request that I be released by you from prison immediately.

5. If, after today, I am kept in prison here at Nsawam or anywhere else by you, jointly and severally, or by any one else on your behalf, I register herein a penalty against you for £500 for each such day I am further detained in prison.

6. You are further given opportunity to make an offer of amends in respect of the following claims against you for £800,000 damages, for:

- (1) False arrest and malicious imprisonment as from 4th January, 1964.
- (2) Trespass at my residence C 34/4, Nkrumah Road, Accra, by Ghana Police on 4th January, 1964 and invasion by troops of the Ghana Army as from 8th January 1964, in an alleged search but without warrant and without my consent.
- (3) Forcible ejectment by troops of the Ghana Army of members of my household, including my wife and children, from the premises, and break-up of my home, without lawful authority or just cause.
- (4) Occupation of the premises (Rent £48 10s. od. a month) by troops of the Ghana Army for over three months without lawful authority or just cause, damaging my professional business as a lawyer at Yiadom Chambers

(the same premises), and my name and reputation in general.

- (5) *Libel*.—Publishing of and concerning me that I was, in effect, guilty of treasonable felony and/or sedition as set out in alleged Grounds for Detention served on me at Nsawam Prison 13th January 1964, nine days after my arrest, to wit:

“In recent months you have engaged (sic) in activities designed to endanger the security of the State and to cause the overthrow of the Government by unlawful means.”

- (6) Falsely, secretly and maliciously issuing an Order of Detention, alleged to be No. 1 of 1964, against me without publication in the Gazette, or without showing a copy to me, thus depriving me of an opportunity for a public hearing to rehabilitate my name in respect of the Ametewee murderous affair with which my name was falsely connected upon my arrest on January 4th, and thus depriving me also of public hearing in respect of the charges falsely brought against me in the Grounds for Detention served on me on 13th January, 1964.

- 7) *Oppression*.—For depriving me of my Constitutional right to worship God at the Prison Chapel, or at the Chapel at the Special Block, and for equally depriving me of other vital rights as a citizen of Ghana, such as creative writing for Ghana and the world of culture, as for instance the song “Glorious Ghana” and a poem, “Sweet Ghana in Person”.

- (8) *Oppression*.—For imprisoning me in a dungeon of the Nsawam Prison, called the “Special Block”, not built in accord with Ghana’s Building Regulations, and imprisoning me in a cell thereof condemned by medical opinion as unsuited to my age and condition of life.

- (9) *Oppression*.—By directing that being imprisoned at the Special Block I should not be removed to the Nsawam Prison Hospital when ill to need hospitalization, without the prior consent or permission of the President of Ghana.

- (10) *Endangering my Life*.—By refusing or failing to give his consent to have me removed from Cell 9 of the dungeon

to the Nsawam Prison Hospital as recommended by the Medical Officer of Health to put an end to the danger to which my life is exposed at the aforesaid Cell 9, the President persisting in keeping me at the Special Block from the date of my Petition for my removal to Hospital on 30th November 1964, to date.

7. In connection with paragraph 6 (10) above, I point out briefly that since about 28-12-64 I have suffered from a serious attack of pains (organic?) right across my waist, and also from a local pain on the left side of my head, from the base of the neck to the side of the head near the left ear. (Whenever I throw my head back or forward I get an acute jab of pain at the spot indicated.) The hissing in my left ear, referred to in my Petition to the President of 30-11-64, has now affected my right ear as well.

8. Since the 16th of December, when the M.O.H., an Indian, in charge of the Nsawam Prison Hospital as well as of the Nsawam Prison, told me at the Special Block upon a visit to examine me, that he had been shown a copy of my Petition to the President and that he had endorsed it favourably, I have never seen him again at the Special Block. Some say he is ill, others that he is on leave, but I should not be surprised to learn that he had been removed for one special cause from the Station.

9. Another Medical man said to be the M.O.H., Nsawam, a Jew, I believe, paid me a visit at the Special Block on the 2nd January in connection with an attack of asthma and of pains in the waist, hissing in the ears as well as head pains. He paid another visit at the Special Block this afternoon, the 8th January. He has not as yet examined my waist but he did not carry out his earlier threat of "cutting my wiaist" if I complained again of its pains. He has now ordered a treatment of injections instead of the ordinary pills for bodily pains he ordered for me on his first visit.

10. I have expressed a desire to have private medical treatment, but the Assistant Director of Prisons, Nsawam, on his visit here on 6-1-65, explained that I was not entitled or allowed to receive private medical treatment in this prison.

11. The situation so created by the President's failure or disinclination to allow me to be removed to a hospital, together

with the fact that I am not entitled to be attended by a medical man of my own choosing, tends to confirm the growing conviction that at the bottom of my imprisonment lurks an attempt or desire to damage my physical body and my mental equipment, even the salvation of my soul—or that those responsible for my imprisonment do not care if I experience such damage.

12. I HEREBY request that signed copy of this letter “prepared in four copies” be delivered officially to the Attorney-General of Ghana.

13. I HEREBY authorise and appoint my heirs and successors, a representative selection of whom is named below, to take up the above claims against the addressees and the Government of Ghana in the event of my death or of any fatality making me incapable of acting for myself in the matter. My heirs and successors are to pursue the claims on my behalf and/or on behalf of my estate as they or any of them may think fit, and to settle on terms which, in consultation with my Bankers, they consider are commensurate with the claims herein, and with the magnitude of my contribution to the history of this generation of Ghana in relation to Ghana’s past, present and future, a contribution which some of my contemporaries who have benefited therefrom are maliciously bent upon eliminating. Reference may be made in this connection to the three petitions of 21st May, 1964 (Cultural and Humanitarian), 12th June, 1964 (Legal and Historical), and 30th November, 1964 (Health and Life), the copyrights of which are reserved in me, and copies of which may be obtained from the Prisons Department, or from the Government of Ghana direct. They were addressed by me to the President.

14. I DIRECT that a certified true copy of this letter certified by the Attorney-General to be such, should be sent by the President of Ghana and the Ministers and Members of Government to which this letter is addressed, to each of my heirs and successors named below.

15. I DIRECT that a certified true copy, similarly certified by the Attorney-General, should be sent to my Bankers in Accra. (The Manager, Barclays Bank, D.C.O., High Street, Accra.)

HEIRS AND SUCCESSORS

16 The following is a representative selection of my heirs and successors to each of whom, as named below, a copy of this letter should be sent by the President and the Ministers and Members of the Government:—

1. Wife
Mrs. Elizabeth Danquah, Yiadom Chambers, P.O. Box 15, Accra.
2. Sister
Madam Rose Ama Otiwa, Yiadom House, Presbyterian Mission Station, Kibi, Akim Abuakwa.
3. Children (Representing males and females)
 - (a) Mr. Paul Walcott Danquah, of the Inner Temple, Barrister-at-Law, London E.C.
 - (b) Mr. Vladimir Danquah care Ministry of Information, Accra.
 - (c) Master Marmaduke Danquah care Mrs. Elizabeth Danquah, P.O. Box 15, Accra.
 - (d) Madam Coral Danquah, Singer Sewing Machine & Company Ltd., Ebute Metta, Lagos, Nigeria.
4. Nephews and Nieces (Maternal)
 - (a) Frank B. Adu (Ministry of Social Welfare), Yiadom Hall, Kibi, Akim Abuakwa.
 - (b) Prof. Samuel K. Opoku, Kwame Nkrumah University, Kumasi (Now in America).
 - (c) Eric B. Danquah, Merchant (Now in Detention), Ussher Fort, Accra.
5. Nephews and Nieces (Paternal, sons and daughters of my brothers & sister:) Nana Sir Ofori Atta, K.B.E., Okyenene, his sister Madam Ama Otiwa, and Mr. George Boakye, of Yiadom Hall, Kibi Akim Abuakwa
 - (a) William E. A. Ofori Atta, Barrister-at-Law, Kwakwaduam Chambers, Accra (now in detention).
 - (b) Henry Kofi Ofori care Mr. A. E. A. Ofori Atta, Minister, Ghana Government, Accra.
 - (c) George Boakye care Mr. A. E. A. Ofori Atta, Minister, Ghana Government, Accra.

(d) Dr. Susanna de Graft-Johnson (Mrs), Children's Hospital, Accra.

(e) Nana Ofori Atta II (D. O. Akyeampong), care Elizabeth Danquah, P.O. Box 15, Accra.

6. Father's family

(a) Seth Gyamera care Madam Rose Ama Otiwa, Yiadom House, Presbyterian Mission, Kibi, Akim Abuakwa.

(b) Madam Ema Boakyewa care Madam Rose Otiwa, Yiadom House, Presbyterian Mission, Kibi, Akim Abuakwa.

(c) Madam Ama Warewa care Madam Rose Ama Otiwa, Yiadom House, Presbyterian Mission, Kibi, Akim Abuakwa.

7. Traditional Heritage (Mother's Family: Bafour Yaw Adu, Odikro (Chief) of Adadientam, near Kibi, Akim Abuakwa (Occupant of the Tuda Stool).

17. I should like to mention here that the first draft of this letter of some 20 pages, giving full and ample clarifications for the claims made herein was concluded on 5th January 1965, but it cannot be got ready now because the typewriter has not been easily available for a full length letter of that nature. I consider, however, that this much shortened form serves the full legal purpose of a demand for my release immediately, together with a notice of my claim for damages, and an ample opportunity to the tortfeasors to make amends.

18. The issues upon which I reject the Order of Detention turn principally on the lack of requisite authority in the Government, or its officers or members, to commit me or anybody else in prison without public trial at the courts of justice on charges scheduled as offences, crimes, felonies, seditions and treasons under the Criminal Code and the Criminal Procedure Code. I have not therefore touched at length the interesting question of the falsity of the charges.

19. In respect to that, however, I would say briefly that I would be most happy to meet any person in the High Court, or any other of Ghana's court of justice, who would produce evidence that I had ever in my life, at any rate "In recent months", said or written anything against, or even concerning

the security forces of our land: the Army, the Navy, the Air Force and the Police Force. I do not even know the several headquarters of these organisations, except, of course, the Police, with whom I have often to deal as a lawyer. I must confess, in this respect, that if put to it, Mr. Madjitey, the Police Commissioner, would honestly say that the only unexpected thing he remembered me saying about the Police Force in recent months (I think it was in 1962) was that when I first saw the new Police Headquarters at Ring Road East, I wrote to tell him that I thought it was an ugly building. Here you have the outside staircase jutting out at the side, with another staircase in the middle of the building, and with the bottom floor all open—quite like a barn, a corn barn, in a farmer's corn farm for storing corn, into which he dives furtively now and again to see whether the rats have been at it, or how much he could take out for the market each day. The architecture of the barn little concerns him: and that, as I see it, is the new Police Headquarters, nothing to compare with the colonial style of the Central Police Barracks, nor with the modern impressiveness of the Ghana Bank Building.

20. But most probably what is causing embarrassment to some of my friends in the Government is the mistaken idea that any criticism or appraisal of say, the Supreme Court, or of the Minister of the Interior, or of the President of Ghana, or of the Speaker of the Ghana Parliament—these are some of the persons I praise or blame or criticize in my MS. *The Ghanaian Establishment*, taken away by the Police from my bedroom on 4th January, 1964—constitutes an “attack on the State”, or “the security of the State”, I cannot but have any doubt that this must have been the mistaken notion in some members of the Government, or perhaps in all of them, which has compelled me to engage myself in this painful duty of calling upon the President and members and Ministers of the Government of my country to admit their mistake and to take immediate steps to withdraw from a false position taken a year ago against a citizen of this land, and to make substantial and fair amends for the damage caused to such a citizen.

21. And, if I may express a personal opinion on this, I would say that any step taken by His Excellency the President and the

Honourable Ministers and Members of the Ghana Government to make satisfactory amends in this matter, will be considered an honourable act of Ghana's Government and in no sense humiliating to the nation, or to her sons and daughters wherever they may be. In my view the nation only becomes humiliated when in the face of an obvious fault her Government persists in bluffing at the facts. I wish to assure you, Mr. President and Ministers and Members of the Government of Ghana, that I do not think that, from *Ati* to *Nsoko*, and from Half-Assini to Jasikan, there is any person alive who loves Ghana more than I do. If need be I could claim a greater love for this Ghana than most Ghanaians of my acquaintance. For this and other reasons, namely, that we love this land and nation of ours, I feel very strongly that we should not allow it to be repeated in Ghana, in the twentieth century, the tragic misconception which led eighteenth century France into the debacle which eventually ushered in a revolution so unsparing in bloodshed as to make historians shudder even now to contemplate it. It all started with a misconception on the part of the King of France: "The State?" Asked Louis XIV, King of France, "I am the State!"

22. In Ghana, of course, the position is different. No servant or officer of the State is the State. As we are a democracy, an "attack" or a criticism of any democratically elected or appointed person is not an attack on the State, or, to quote the words of the Grounds for Detention, it is not an "activity designed to endanger the security of the State", a false and grandiloquent enlargement of employees to be the equivalent of Mother Ghana is an illusion and should be banished from every one's imagination or thought.

23. But much the most serious misconception is the idea that a Preventive Detention Regulation, or Act, can be used to commit offenders or criminals to prison as if they had been convicted by a court of law. Unfortunately, it is not alone the Executive Officers of the Government who are blameable for this widespread but wrongful idea. It is my view that the Supreme Court of Ghana, and also some of the High Courts of the land which have had to deal with Habeas Corpus applications under PDA, are blameable for this abuse of preventive detention in any shape or form.

24. Let this be illustrated with the judgment of the Supreme Court in Bafour Osei Akoto's appeal in his Habeas Corpus application in respect of an Order under the Preventive Detention Act. It will be found that the Supreme Court dismissed that appeal chiefly on the ground that in England a Minister was held to be competent and alone competent to determine whether in his opinion and in the interests of the State a particular person should be detained or not. In regard to this case, the Supreme Court cited the case of a German or Polish subject who came to the United Kingdom bearing a heavy continental personal name P . . . zy, or some name like that. (I forget it now.) Subsequently this German applied for naturalization papers under a new English name, and was so naturalised. Soon after this, war was declared between the United Kingdom and Germany, and the question the Minister had to face and determine was whether looking at the background and original nationality of this newly naturalised Englishman, it was not, in his opinion, i.e. the Minister's "opinion", dangerous to leave this ex-German free and at large when Britain was at war with Germany. Blood being thicker than water anything could or might happen at any time to this ex-German if left free and at large during the war. So, in the Minister's opinion, it was safer to have this man, let us call him, Mr. P., detained, and kept out of danger to himself and to the State. In the meantime a parliamentary committee was sitting from time to time to receive reports on the character and antecedents of the person so detained, and the Minister could at any time be advised to release him.

25. Now, to make beneficial use of this case in our own country, the points to note are these:

- (1) This man, Mr. P., was not detained on the ground that he was guilty of any offence in English law. His grounds for detention did not say that he was being detained because he had committed an offence under the criminal laws of England.
- (2) The Minister was called upon to express an opinion as to whether the man P. should be detained or not as a possible source of danger to the nation. The Minister was not called upon to state a fact that the man was,

as a fact, guilty of a crime. If that were so, no English MP would sit down and allow the Minister, whoever he may be, to sentence the man P. to prison without trial, a public trial in court.

- (3) The man committed to detention under the War-time Regulations was not sentenced to any definite term, such as five years or so, as quite embarrassingly, it is done in Ghana. The man P. was merely detained for the duration of the war, or at the Minister's or the Government's discretion or pleasure.

26. The same thing applies to British born citizens who were detained during the war. They were not detained because they were said to be guilty of any crime. They were detained because of their associations. They belonged to a political organisation, the British Union of Fascists, which pursued a policy like what was being pursued in Germany or Italy, countries with which Britain was at war. The Nazis of Germany and the Fascists of Italy might at any time be tempted to use members of the British Union of Fascists to advance their ends. So, in the Minister's opinion they should be kept in custody for their own safety or good, and for the good of the State. It was not a crime in England to be a Fascist but in war time care had to be taken with everybody.

27 Finally, all the English cases cited by our courts were war-time cases, namely, emergency conditions. There is no law in England which empowers a Minister to imprison anyone when there is no emergency. We have such Emergency Regulations also in Ghana, apart from the Preventive Detention Act, which could be used to detain people during an emergency. In the United Kingdom, judges can sometimes sentence an old time criminal to a longer sentence than is warranted by his particular crime then before the court. This is done to give effect to a special Act which empowers judges so to act in respect of a criminal whose record shows him to be inveterate or unrepentant. The man, when found guilty, is sentenced in respect of the particular crime then before the court, and then the judge, to "prevent" the convict from continuing to be a pest on society, gives him an additional period of months or years for "preventive detention". The point about this is that it is done not by a

Minister, but in court by a judge, after due trial of a case. The great defect about Ghana's "preventive detention" under the Preventive Detention Act is that, there is not the slightest semblance of a trial in court or elsewhere. It is a behaviour under banishment by the United Nations, under the Universal Declaration of Human Rights, and it is not Ghana's place to make herself appear like a fractious member of UN, paying no respect to its laws and understandings. In the eyes of the United Nations, as of the civilised international world in general, the Preventive Detention form of punishment, punishment without trial in a court of justice, is not quite "civilised". It is what Prophet Isaiah calls an "unrighteous decree".

28. Freedom, and Justice and Right. I have always held the view that our Ghana's national motto should not omit Right, the basis of all justice and of all freedom. We could make it Right, Freedom and Justice, or Justice, Freedom and Right. It comes to the same thing. It is upon the basis of personal rights, what Roosevelt called the Four Freedoms, that Democracy thrives in the civilised parts of the world today, viz.: (1) Freedom of Expression, (2) Freedom of Religion, (3) Freedom from Want, and (4) Freedom from Fear (fear of the Secret Police, and secret arrests and secret detentions).

29. I have received two communications from the Ghana Government since I came here, apart from the Grounds for Detention. The first was a Questionnaire sent to me at the Reception Hall of the Special Block ("Down-Landing") on or about the 10th June 1964, and officially post-dated 12th June 1964. In it I was asked about quite a number of things concerning myself. Among other things, they asked me to give the name of my wife (Elizabeth), and the number of my children of school-going age (ten in number), whether the Minister of my Church would guarantee my conduct if released from detention, and whether I would like the Government to find work for me, and what was my income?

30. I gave my Church as the Presbyterian Church at Adabraka and affirmed that the Minister would readily give such a guarantee. I affirmed that I would like the Government to find work for me. My last appointment with the Government carried a salary of £2,500 per annum, but I mistakenly said in the

Questionnaire that my income was less than £2,000, thinking of my last Income Tax Return.

31. Now, I believe the Government asked me these questions, especially as affecting my wife and children because the Government were anxious not to appear to have taken the right to live from my wife, who, being reduced in my absence to grass-widowhood, becomes what Isaiah calls a "prey". And equally questions were asked about my children's education because the Government had in their mind to see to it that my children were not deprived of their education, what the Prophet Isaiah describes as robbing "the fatherless", that is, those whose father has become a victim, had been taken away as a victim to what the prophet considers to be "unrighteous decrees". (Isaiah, 10: 1-3.)

32. The second series of questions asked me by the Government took place on the 7th July, at the Occurrence Book-Keeper's table, at the Up-Landing. The questions were put to me, *viva voce* by the Deputy Director of Prisons, who came with one of the officers from Headquarters. They were put to me in the presence of Mr. Sagoe, Superintendent of the Special Block. I was asked for an account of my political career since my active days, and whether I would be prepared to give up politics if released.

33. Of course, as the last question was in tune with my petition for my release on cultural grounds, sent on 21st May 1964, I answered "Yes". But I could not restrain my tears when I had to recall the history of how, in pursuit of the Youth Conference policy, I got the Asantehene and his War Council to accept and sign a petition I had prepared for the Joint Provincial Council and the Legislative Co-members. I went to the Confederacy Council on a delegation with John Buckman, and the Linguist of the Asebhene for the JPC, to get the Asantehene and his Chiefs to sign the petition to the Secretary of State for a union of the two territories, the Colony and Ashanti, in one Legislative Council.

34. This event, which happened over 20 years ago, when some of the members of the present Government were either school children or college boys, was that which brought Ashanti and the Colony together in what came to be called the Burns Constitution.

35. The Union of Ashanti and the Colony made nonsense completely of the British Government's plan to give Ashanti its own "Parliament", enacted in the Ashanti Advisory Council Ordinance, Cap. 100 of the Laws of the Gold Coast, still extant, never enforced and never repealed. It made a sham also of the British plan to turn Ashanti and the North into a Pakistan, and led rapidly to the foundations that were laid by the Coussey Committee for all four territories, Ashanti, the Colony, the North and British Togoland, to ripen into the United Ghana of today. I am proud that I served on the delegation to Ashanti as well as on the Coussey Committee.

36. One final point. There seems to be a belief in certain quarters that the President of Ghana, by himself, or with his Cabinet members, or, in brief, the Ghana Government, have been given by Parliament a mysterious power which entitled them to pick and choose which accused persons to send to court and which to commit to prison on PDA. I do not think that the Parliament of Ghana can be accused of having descended to that form of savagery as to turn all Ghanaians into savages, that is to say, persons who are little more than the four-footed animals, without any personal rights, and liable to be arrested and committed to prison with no right "to reason why", to quote Mr. N. A. Welbeck's saying.

37. If that were so, this Ghana would have ceased to be a free country and its justice would have flown to "brutish beasts". There is no such power in you, gentlemen, to commit me to prison on charges triable by the courts of justice. You have made an egregious and rather very damaging mistake against me, and I hereby advise and request for my release. Please submit terms of your amends within one week from date.

I have the honour to be,
Your Excellency and Gentlemen,
Yours sincerely and obediently,
(Signed) J. B. DANQUAH.

P.S.—I celebrated my 69th birthday in Prison 18 days ago, on 21st December, 1964. I am now moving rapidly to my 70th birthday. Wish me luck.

2/MPH/CL-65

Prison Hospital,
Ministry of Health,
P.O. Box 305,
Nsawam.
19th January, 1965.

DETAINEE—DR. J. B. DANQUAH

The above-named prisoner was suggested for Neuro-Psychiatrist thorough examination, and permission has been granted for examination.

2. Would you, please, visit Nsawam Prisons for the above examination and kindly inform us about the date and time of your arrival at Nsawam Prisons most convenient for you.

Thank you in advance.

(Signed) DR. R. NEGOVETIC
Medical Officer, Prisons.

The Psychiatrist Specialist,
Mental Hospital,
Accra.

Copy to:
The Assistant Director of Prisons,
Medium Security Prison,
Nsawam.

Copy

0593/0001/108

Prison Headquarters,
P.O. Box 129,
Accra, Ghana.
26th January, 1965.

DETAINEE—DR. J. B. DANQUAH

I forward herewith, a letter of apology, in duplicate, from the above named detainee addressed to Osagyefo the President, for necessary action.

(Signed) CHARLES BAIDEN
for *Director of Prisons*

The Principal Secretary,
Ministry of the Interior,
Accra

Copy to:

The Minister of the Interior, Accra.
The Director of Special Branch, Accra.

The "Special Block",
Nsawam Prison,
Nsawam, Ghana.
23rd January, 1965.

His Excellency,
Dr. Kwame Nkrumah, P.C., etc.,
President of the Republic of Ghana,
Office of the Government of Ghana,
Accra, Ghana.

Dear Dr. Nkrumah,

My wife paid me a visit at the Prison here on Wednesday, January 20—the first after an absence of two months and three weeks. Naturally I was greatly happy to see her, but she was not herself very happy.

She appeared distressed over what she described as annoying letters from me to Your Excellency. She said on Christmas Eve,

December 24, Mr. William Ofori Atta was released from detention with some five or six others; that she heard my name had been on the list of those to be released that day. It was afterwards struck out probably because of my annoying letters.

I tried to explain the position to her, pointing out that my letter to you in November, or just before Christmas, had been on the subject of my health and that the Medical Officer here had recommended my removal to Hospital, but that you had rejected that recommendation for my removal to Hospital, and I therefore tried to impress upon her mind that my life was exposed to the danger of death.

To this my wife gave a fitting reply that I should not let such thoughts worry me but that if God had not designed that I should die here, death would never overtake me in this prison. Indeed, under the stress of her sense of distress over my conduct towards you, and under the stress of my own sense of distress that injustice was being meted out to me, it was difficult for our talk to be amiable or cordial, and tempers therefore rose.

Eventually I told her that I had recently written a letter to you and your Cabinet Ministers demanding my immediate release and the offer of amends by you and the Government for the damage caused by my imprisonment, and that I had asked in my letter to the Government that a copy of it should be sent to her, and I wanted to know whether she had received such a copy.

At this my wife's anger flared up again, and she told me that no such letter had reached her, but that information had reached her that my last letter to you had greatly annoyed and upset Your Excellency. She added that "Today everybody was frightened in Ghana and that it would be better for me to keep quiet and trust in God than to upset Your Excellency with strong letters." She disclosed also that Mr. da Rocha had gone and seen her in connection with my letter asking him to call and visit me. He had told her that I had myself explored all avenues in respect of this law of detention, and that it was difficult to know what else anyone could do in the matter, but that, in any case, he, Mr. da Rocha, had applied for permission to visit me at the prison here, but that permission had not been granted him to make such a visit.

Upon all these, tears flowed down the eyes of my wife, and I realised that her sense of distress was overpowering.

In respect of my suggestion to her some time ago that she should call and see Your Excellency with some elderly persons, led by Nana Sir Tsibu Darku, she explained that her application to you for the purpose had not been granted. I then asked her for some information as to who had accompanied her in her interview with you in October last, but to this she shortly replied: "I wouldn't tell you."

In fact I have never seen Elizabeth in such a petulant temper against me before and I became greatly disturbed. I asked her to call and see me next week as I wished to consider my position and to straighten matters up with Your Excellency.

Speaking personally, Your Excellency must be aware that despite some great political differences between us, especially as affecting the present Republican Constitution for the adoption, or non-adoption of which, I stood against you for the Presidency, I have never had a personal quarrel with you, and that all my letters to you since my detention in January last year have been couched in the most respectful terms with due respect to your position as President of the State and also, in view of what, at least on the surface, appears to be a friendly atmosphere in which we both live.

May I, in this connection, recall that my first petition of the 21st May 1964, for my release on cultural and humanitarian grounds, laid much stress on the fact of what we both held in reverence and believed in common, Africa and the greatness of Ghana. I urged upon you in that letter that to enable me to continue my cultural contribution to these great ideals, it was useless keeping me in prison, kicking my heels, away from the work I love, my profession, my duty to my family and children, and the books and the learned societies which help the advancement of these imperishable ideals.

I much regret to say I was not honoured with any reply from you to this letter, despite its great human and scholarly appeal.

My next petition, in order of time, but first in order of importance, was the one dated the 12th of June, in which I set out the entire course of my life and "activities" from June 1962, when I came out of the first detention, to January 3, 1964, when

I was again arrested. And I believe I made a case in that letter which, looked at fairly and squarely, what the Government of Ghana, with Your Excellency at the head, should have done for me was to send a distinguished national delegation to thank me for my contribution to the nation's wealth of thought, culture and progress, instead of sending against me hostile troops of the Ghana Army to invade me and destroy my home life as if I was the greatest felon and the vilest enemy of our beloved land.

To this letter, too, I received no reply of any kind, except that on the 15th August the Assistant Director of Prisons came to my cell and read to me a letter received by him from the Government to the effect that my petition was receiving the attention or "consideration of Government".

That was five months ago, and up till now, what the "consideration" led to has not been communicated to me. In fact, it was never made clear to me what "Petition" that letter of the Ghana Government referred to, whether the cultural petition of 21st May, or the petition of representations of the 12th June.

My last letter of representation was dated 30th November and must have reached you early in December. In fact, on Christmas Day, I received a message from the Director of Prisons, through the ADP, that that petition had been sent to you. It was that petition which dealt with the vital question of my life as endangered here, and I asked for my immediate release or removal to the hospital as recommended by the medical authorities here.

This letter was also treated with a silence, a lack of reply or response, which simply astonished me.

My last communication is the one of 8th January, the one which appears to have greatly upset my wife and to have led her to overcome her reluctance to visit me at Nsawam, owing to the unpleasant feeling it gives her. On this occasion she travelled all the way to Nsawam, 20 miles or so, to see me because she had been upset by my annoying you.

This last letter was, of course, not a "representation" or a petition. It was a lawyer's letter of demand on the grounds that my detention was illegal and that I should be released immediately and an offer of amends made by you, your ministers and the Government of Ghana for the horrible damage you and they

have caused me, including the breaking up of my home, the damage of my legal profession and to all the great values I hold dear for Ghana and the world, as well, of course, as to my family.

I received a reply promptly to this letter, but it contained no offer of amends nor of any expression of regret for the damage done me.

The reply was read to me by the Assistant Director of Prisons on the 15th January. It went off at a tangent to inform me that after my arrest and detention in January 1964, the Parliament of Ghana had passed a new amendment to the Preventive Detention Act to the effect that a person detained would have no right to make "representations" to any person or persons other than the President who ordered his detention.

I was astonished by the contents of this letter and I asked for a copy to enable me to reply to same, but both requests were turned down on the ground that copies of letters are not supplied, and that no replies to such letters are permitted either.

So far as I know, neither the Government of Ghana, nor the Parliament of Ghana, or the courts of justice are "persons" in the sense in which Kwame Botwe is a person. Each of these is an institution, an "it" and not a "he" or "she", and I cannot therefore see how my letter of demand dated 8th January 1965, to the persons who constitute the Government of Ghana can be placed in the category of "Representation" to any person other than the President. Under the Constitution, the President has a Cabinet of persons who, together with him, constitute the Executive of the Government of Ghana, with collective responsibility, and they together, as constituting an "it", are not "private persons", but are parts of an institution—the GOVERNMENT OF GHANA.

To digress here a little. Another letter read to me on the same occasion was that from a man I do not know at all but who claimed that I had made a "complaint" to him of my being chained or put in leg-irons by some warders here. He went on to say that he had enquired into the "complaint" and had "dismissed" the same for want of "evidence".

I was greatly shocked by this because apart from my wife, Elizabeth, who saw the hospital bandage on my left thumb during her visit here in July, and also the ADP (Mr. Baiden)

who, on seeing the bandage on my hand in July or August, asked for the cause of it, no one in the entire world, other than the Medical Officer and his nurses, had cared to ask me how the sprain came about. The only person to whom I made a real complaint, Mr. Sagoe, Superintendent of the Special Block, took no particular notice of it, except that he examined the sprain on my left thumb and the scratches on my left leg, and reported the matter to the Doctor. So far as I know he made no report of it to the ADP until Mr. Baiden himself enquired of it from me.

How then came this person who is, apparently, not a magistrate and has no jurisdiction in assault and battery cases at Nsawam to such a brutal decision to dismiss the "complaint" for want of "evidence", when the merest inspection or X-ray of the affected parts, quite apart from verbal evidence of some living persons, could easily establish the case? Queer justice!

Here again, I applied to get a copy of the letter from the person who dismissed my "complaint", but again I was told that neither a copy nor a reply was permissible to me. One may recall here, on this question of justice, that it was our people's love for justice that compelled them to ask the British in 1843 to come back to Ghana, a situation which led to the Bond of 1844. The British people, like the Dutch and the Portuguese, had left the country in 1828, for quite a number of reasons, including military, but our people's love of British justice as administered by Captain George Maclean, compelled our ancestors to welcome the return of the British. Now the British people have gone away from us only some seven years ago, in 1957, and already some people are asking in regard to certain incidents, "Is this justice?"

These events of the Assistant Director of Prisons reading two letters to me, and refusing me copies by reason of the prevailing rules, happened on the 15th and 16th January. It was four days later, on the 20th January, that my wife's visit took place, and what happened between us I have narrated as faithfully as I can above.

Your Excellency: You will appreciate that the whole of my existence and the entire course of my career for 69 years have been put in jeopardy by the present detention which is absolutely

baseless. Therefore I have no alternative but to seek to defend my existence and my career and the interests of my country, Ghana, whom I love, and of my family, wife and children who are very dear to me.

If therefore in the course of my demand for right, freedom and justice, in my legal letter of 8th January 1965, I said anything which annoyed you personally, or which was not other than a lawyer's language to make a clear demand for what he is entitled to in law, in perfect pursuit of right, freedom and justice, then I most sincerely and most unreservedly apologise to Your Excellency for the untoward language.

My wife's distress over her own feeling that I appear to have hurt Your Excellency is quite understandable for she, like many of our countrymen, are frightened of the situation today, where our country, which formerly did not know of seditions, not to mention treasons, is now full of interminable treason trials and a numerous number of secret detentions over which no one seems to have any remedy but to capitulate and to pray earnestly that God may one day be pleased to save Ghana from this curse.

I am persuaded that your concern for the happiness of my wife, as it must be for the wife of every detainee, must be real, otherwise, I do not see how my wife could have learnt of my letter having annoyed you, and to follow it up with a special visit to me 12 days later, on the 20th January, the date of the letter being 8th January.

I do not pretend to guess how she got to know that you had been greatly upset by that letter, but in order that her mind should be completely eased on that score, I respectfully ask you, in the name of all that you hold dear, even in the name of God, to assist my wife by complying with the request in my letter that a copy of that letter of 8th January, 1965, should be sent to her by your Government. I feel certain that if she gets the letter and reads it and becomes fully informed that I am seeking her interest in that, so that either when I am alive, or when I am rendered incapable of acting for myself by any fatality, such as death or insanity, there will be legitimate provision to stabilise her in life and enable her to sustain me in her memory.

She has, indeed, assured me that unless it be God's will I would never die in this prison, and this is a conviction which

I am myself persuaded to share strongly. But there is nothing like making provision against unexpected possibilities.

I therefore earnestly appeal to you to provide my wife with a copy of my letter to you and your Government, so that when she calls to see me next Wednesday the 27th January, 1965, (she expressed her preference to call again in a fortnight's time, that is, 3rd February), we, that is, she and I, should be in a position to start on a common ground for an amicable discussion and avoid recriminations, in particular, as affecting Your Excellency personally.

I do hope also, Sir, that you will feel persuaded to supply her with a copy of this letter also.

And with my warm regards.

Believe me to be,
Your Excellency,
Yours very sincerely and obediently,
(Signed) J. B. DANQUAH.

COPY

Ref. No. MH-158

CONFIDENTIAL

Mental Hospital,
Ministry of Health,
P.O. Box 1305,
Accra
1st February, 1965

DETAINEE—DR. J. B. DANQUAH

This detainee was seen 29th January, 1965 for Neuro-Psychiatrist consultation.

Apart from Hypertension of 220/120 there was nothing significant.

(Signed)
Senior Medical Officer
(Psychiatrist)

The Medical Officer,
Prison Hospital,
P.O. Box 305,
Nsawam.

Nsawam Prison,
Nsawam, Ghana
November 1964.

THE PETITION OF

Dr. Joseph Boakye Danquah, PH.D., LL.B. (Lond.), John Stuart Mill Scholar in the Philosophy of Mind and Logic, of the Inner Temple, Barrister-at-Law, and of Yiadom Chambers, Accra, and Yiadom Hall, Kibi; Fellow of the Royal Society of Arts, Fellow of the Ghana Academy of Sciences, President of the Ghana Bar Association (1963-64), Commission of Jurists ("Freedom and Justice"), 1962-64, now imprisoned without trial at the "Special Block" of the Nsawam Prison of Ghana, since January 8, 1964.

FOR HIS RELEASE

on the grounds of an unusual impairment of his health:

His Excellency

Osagyefo the Rt. Honourable Dr. Kwame Nkrumah, P.G., LL.D., M.A., etc. President of the Republic of Ghana, President of the Ghana Academy of Sciences, etc., etc., Flagstaff House, Accra, Ghana:

(Dedicated to

The Honourable the late

George Alfred Grant of Sekondi,

Founder of the Convention of Ghana).

May It Please Your Excellency:

From the deep roots of my being, I pray that you be pleased to release me from detention because of an unusual impairment of my health due to causes which dangerously threaten me with untimely death. The Medical Officer-in-Charge of the Nsawam Prison Hospital has indicated the need to remove me to the Prison Hospital if I would support him by my own petition. The circumstances are, however, such that when other factors, such as my age (69 in a month's time, on the 21st December) are taken into consideration I feel compelled to ask for your decision for my release not merely from the unfavourable factors operative on me by being incarcerated in a cell in a "Special Block" apparently designed for special or dangerous prisoners, but for my release from detention completely, so as to facilitate and speed up my recovery to full and vigorous health.

2. The following are the several diseases, ailments and maladies, whatever might be the proper names for them, from which I have suffered and for which I have been treated by the Doctor since my admission into the "Special Block" of the Nsawam Prison on January 8, 1964:

- (1) High Blood Pressure (Hypertension) (now abated).
- (2) Hissing noise in my left ear.
- (3) Asthma.
- (4) Liver complaints.
- (5) Heart attacks.
- (6) Disease in the major vein or artery in my left big toe, leading to lameness (about 21 days, now cured).
- (7) Disease of certain veins in my right foot, below the toes, leading to lameness (about one week, now cured).
- (8) Malaria on two different occasions.
- (9) General bodily pains, and of joints and muscles (due to want of exercise and recreation).
- (10) Cerebral strain and pains of the arteries or veins.
- (11) Sprain in the left thumb caused by certain warders, led by a Moshie Sergeant, who put me in leg irons on 30th June, 1964, forcibly done without due authority.
- (12) Pains in the inner part of the right elbow, sustained in the course of a weekly exercise in the compound of the "Special Block", sometime in September, 1964.
- (13) Under-nourishment, causing dizziness and fainting, on two occasions.
- (14) Inadequate or unusual clothing occasioning colds and catarrhs. (Upon admission on January 8, I was handed a cover cloth four feet wide, adequate to cover part of my body only, and reaching just above the knee. On that occasion of January 8, all my clothing including underwear, shirt, suit, socks, shoes, even sandals, were taken away from me, leaving me naked of feet, parts of the breast and body.)
- (15) Congestion of the chest.
- (16) Cough.
- (17) Loss of memory, strange impairment of my eyesight, sleeplessness. (Lasted for about two or three days only. When the Medical Officer called early in August to

see me about these I told him I had regained my memory and that the eyesight was again normal, but I believe he gave me treatment against sleeplessness).

- (18) Two front teeth broken, rendering upper denture useless. (These dental troubles were reported before 21st May, but no Dentist has as yet been made available in the Prison to attend to my teeth.)

3. Your Excellency will be aware that some of the above listed diseases are such as would occasion admission to hospital as an in-patient. The curious position here, however, is that neither the Medical Officer nor the prison officials have altogether felt quite free to direct my removal to the Prison Hospital, even when they recognised that a particular ailment was a complaint that would require constant observation, supervision and/or nursing in a hospital, not only by the doctor but by the staff nurses as well. For instance, in April I became lame from a disease of the veins or artery. It rose out of my having to sit up on the floor to read draft petitions, and to correct them, with my legs crossed or spread out or bent under my body as fakirs and others do in the East. I had to do that because there was no chair, nor, at the time, a bed in the cell, nor, of course a table. During the period of my lameness I was compelled to limp to the bathroom on my one good foot, dragging the other with me, to empty my latrine pan, which I held in one hand, and to collect water for drinking in my jug, which I held in the other hand. (There was no question of a walking stick or help.) At home, these necessities of life would have been attended to by domestic aids. In a hospital the nurses would have helped me out of the difficulties. In this prison, in the "Special Block", there was no such relief, and I had to put up with the endurance. I should mention, however, that on the first day of the second attack of lameness, sometime in August or September, the Moshie Corporal-in-charge, Seidu I think is the name, seeing my pitiful condition in the morning, himself offered to remove my latrine pan, and he thus saved me from having to hop on one leg from my cell to the bathroom to empty my latrine pan and to collect fresh water for drinking purposes in my cell.

4. In about February or March when the asthmatic attacks first became violent, I did appeal to the Medical Officer to

remove me to the Prison Hospital to ensure constant attention and observation, and for a more effective cure in the airy atmosphere of the Hospital. The Doctor agreed to consider the matter. Mr. Nutsugah, the Prison Superintendent-in-charge at the time, who was with me and the Doctor in my cell, was also agreeable to such a course, but he added a curious rider which I have never forgotten. He said: "Of course, that could be done. But the difficulty would be where to take you to, after you got well in the Hospital".

HEART ATTACKS

5. In about April, during the course of persistent asthmatic attacks with equally constant attention by the Doctor, who prescribed a variety of drugs and mixtures for me, I noticed a strange occurrence with my breathing, that is to say, without a previous sign of any sort, my breathing suddenly stopped and after a pause for a second or two, it suddenly resumed. I was alarmed greatly by this, especially when it occurred to me again that same day and again on two or three other occasions during the night, and also on other days. I did not immediately make a special point about this in my morning complaints to the Superintendent-in-charge, as I thought it was temporary. But as the sudden breaks in my breath continued for a few days, I mentioned the fact to the Superintendent-in-charge, Mr. Sagoe, who compared the demonstration of the break in my breath to a person holding his breath under water when swimming. During the week I told the Medical Officer about the sudden stoppages of my breath. He had called to examine me for asthma and, I think for my liver complaint (pains under the ribs, right side). The Doctor said nothing in particular to me, but subsequently I noticed a new drug in the usual drugs served on me daily, namely, a black pill or tablet, which I took, and which by morning, had turned my excrement to a deep black colour. As the malady continued, I asked the Doctor sometime in June what could have been the cause of such attacks, asthma, the heart, etc. And his reply was very demonstrative and significant. Sweeping his hand from the entrance to my cell towards the

room, he said: "This cell: it is too small for your age and condition of life."

6. I brought this revelation to the notice of the Assistant Director of Prisons, and asked that I should be removed to the Hospital. The Assistant Director heard my request with sympathy and said he would discuss the matter with the Doctor. Apparently he did so, and later gave instructions for my cell door, which was, at the time, locked against me, both during the day and all through the night, to be opened for me, to admit a greater intake of air, at least during the day. But the door was not opened by the officer to whom such instructions were given until sometime in July when the Assistant Director himself visited my cell and found me locked in during the day. The Assistant Director ordered the door to be opened at once, and I heard him remark to the Prison Superintendent-in-charge, "but I told you to open this door about a week ago". Mr. Sagoe, the Superintendent-in-charge, said in reply to the Assistant Director's remark: "On that morning when I should have opened the prisoner's door he quarrelled with an officer-in-charge". I put in quietly to the Assistant Director that Mr. Sagoe did not take the trouble to enquire into the cause of the alleged quarrel, and I added that in fact "he never investigates from me any such reports about me". (The cause of the "quarrel" between me and the Hausa Corporal-in-charge was whether I should or should not rinse my towel in the wash tub or sink in the bathroom. I explained this to the Assistant Director.)

7. However, from the day of the Assistant Director's visit, the door to my cell was opened and I noticed a great benefit from it in the reduction of my trouble with my breath, which originates from an interruption of the heart beats. The malady still continues, however, and the Doctor's prescription, the black pills, continues to be given to me, three times a day. I have already had the first black pill of the day, as well as two green pills, probably for asthma, this morning the 20th October.

EMERGENCY CALLS AT NIGHT

8. The asthmatic attacks having become violent and frequent in August and September I was compelled to press for emergency

calls by telephone for the Doctor or the Nurse to attend to alleviate my distress. On the first of such occasions I noticed that the Assistant Director of Prisons (Mr. Baiden) himself, as well as the Superintendent of Prisons, Mr. Sagoe, attended the emergency call, together with a staff nurse from the Hospital. Fortunately or unfortunately, by the time they arrived the virulence of the paroxysm had abated, but I was left in an exhausted state. The Nurse, after examining me, gave me a few special drugs and left with the officers. I was greatly concerned that the emergency call had disturbed the highest officers in the Nsawam Prison compound to be awakened in the middle of the night, and I became anxious to know whether there could not be a simpler way of obtaining emergency medical attention in the case of a violent attack in the night. I have to explain that on a subsequent occasion the attack was so severe that the Nurse, after examining me, had to return to the clinic to report to the Medical Officer at his bungalow at Nsawam. Upon the Doctor's instructions I was given an injection for the night. It was the most painful injection I had ever suffered. It involved a certain amount of convulsion in the leg (the injection was at the buttocks), and also in the whole body. However, it brought beneficial relief against asthma, but it left my body weak.

9. Upon the fact that it takes at least an hour, sometimes two hours, for the Hospital to attend to an emergency call at the "Special Block" in the night, I suggested to the Doctor and the Superintendent if it could be arranged for an emergency drug or powder (e.g. "asthma powder") to be left with the night staff of warders, so that when there was a paroxysm in the night I could be given emergency aid by the Staff Warders without having to send for the Nurse or the Doctor and the higher officers in the night, and without courting the risk of dangerous delay when an attack was on. I am happy to state that the Doctor was agreeable to making such arrangements, but the Prison Superintendent perhaps on the side of higher safety, from an abundance of caution, said he could not agree to turning the Warders into nurses overnight, not being trained for that purpose. For this reason, the scheme was abandoned, and I was forced to resort to pleading for an emergency call whenever I was seriously affected at night, the great risk of delay in responding to such calls not-

withstanding (I am sorry to have to state here that, last night, 27th November, for the first time since the attacks developed, an emergency call by telephone for the Gate Keeper to inform the Superintendent-in-charge for him to call upon the Nurse to attend to me, failed. The Gate Keeper received the message, but apparently its transmission broke down at one state or another. The message was sent by the Corporal-in-charge of the Up-Landing (Top Floor) of the Special Block where my cell is, at about 2 o'clock in the night. But by five o'clock he reported that it was useless waiting any longer. I should report in the morning. The result is that for the whole of that night, from about 8 p.m. to the opening of the cell door at 6 a.m., I had no sleep at all because of the virulence of the attack. I was left exhausted, and it is with some difficulty, against the protest of the Sergeant-in-charge, that I resumed my typing of this Petition this morning. Luckily, there was no fatal development!

10. As I pointed out elsewhere in this Petition, asthma itself is said not to kill directly but when the paroxysm is on, the strains felt in the veins and arteries (at the back of the head, near the ears, as also in other parts of the body) are such that unless attended to with promptness anything could happen to the over-strained parts of the body. I remember many years ago, a distinguished businessman of Labadi by the name of Sowah, who suffered greatly from asthma, died as a result of such over-strain.

A RECENT ATTACK

11. In my own case the last occasion (before today, the 22nd October, when this Petition was being drafted) on which I had to make an emergency call was, if I remember correctly, on Sunday night the 18th October.

At about 12.15 mid-night the Officer-in-charge woke me up and said I had been making a loud noise in my sleep and he wanted to know whether there was anything wrong. (The previous night about 1 o'clock he had similarly called my attention to a similar noise, but in that case I could account for it by pointing out that my pillow which was, at the time he called, on the ground fell from the bed and must have been the cause of the noise he had heard. But it is possible that I had been

struggling in my sleep.) I was able to explain the noise of the 18th October in reference to a wild dream in which a strange man had been making unauthorised use of my telephone. Upon this explanation the Officer-in-charge left me to myself. But I could not put myself to sleep again because a strong attack of asthma developed not long after the Officer left me. I tried in many ways to get rid of the attack, but failing to do so I called upon the Officer-in-charge to notify the authorities by telephone for emergency aid. It came to my notice later that the time the emergency call went out was 1.10 a.m., and I had to wait for someone to turn up with aid while the attack was on. I had a terrible time waiting, wailing and moaning for relief, like I had never done before. At a certain juncture I had a presentiment that difficulties were being experienced in getting in touch with the appropriate officers. I therefore put pressure on the Officer-in-Charge to take note of my agony and to telephone again to say that the attack was causing me greater distress than ever before, and so delays should be avoided. He said in reply that he could not send a second telephone message, for he was not a doctor, to distinguish one emergency from another. After some exchange of words between us, and after considerable waiting, at last a Staff Officer, the Sergeant-Major, "Yard Master" and the Nurse came. Usually it was the Superintendent who attended such calls, for he has charge or power over the keys to the "Special Block", at night. However, I was happy to see the Sergeant-Major who, having apparently been aroused and called upon in a hurry, was not in any duty dress, such as shorts and shirt. He was clad in a Ghana (Manchester) print. He looked much more like a Chief than a Sergeant-Major. But at the time he and the Staff Nurse arrived I was exhausted by the virulence of the attack and they met me in a kneeling position over against my bed and considerably dazed and weakened. The Nurse, an Akwapim man, gave me a kind attention, enquired about the attack, and served me with two tablets a fairly large one, and a tiny one, which, after being taken, soon put me back to normal and I was able to sleep.

12. Your Excellency, the point about this long and detailed story is that the time of the arrival of the Yard Master and the Nurse must have been between 3.30 and 4 o'clock a.m. (not long

after they left the "Special Block", our cell lights were put on, which meant that the hour was 5 a.m.) That is to say, on the night of the 18th October I had to wait for about two or three hours before receiving aid in answer to the emergency call. During that long period of a long wait anything could have happened to my veins and arteries with fatal consequences.

CEREBRAL STRAINS AND PAINS

13. Previous to this, on the 22nd September, after two mid-night injections had been administered for asthma attacks on two previous occasions, the Doctor himself called for an examination of my condition. I took the opportunity to tell him of the weakness I suffered in my body after the strong night attacks. As aforesaid, the general opinion is that asthma as a malady, "does not kill", but my own experience is that during a violent paroxysm, the veins or arteries in the body, as also in the head, near the top, and at the back, are much affected. On this occasion in September, I noticed that the weakness was directly reflected in the cerebral veins and arteries. I became painfully conscious of this when one morning I tried to obtain relief on the latrine pan (a pisspot) in my cell. I experienced great difficulty in the exercise. I noticed that the more I strained myself to obtain a relief, the greater became the strain, or sensation of pain—dull pain—at the top of my head, and at the sides, that is to say, in the veins and arteries. Being fully aware that such a condition could occasion haemorrhage, I gave up the effort on the chamber pot, and reported my condition to the Superintendent-in-charge, Mr. Sagoe. He, in this turn, enquired whether I meant I suffered from a headache, and I had to explain the position at length to him, that it was not an ache in the head, or of the head, but rather that the effort to relieve myself at the lower part of the body had registered itself on the top of my head and caused a severe strain in my head arteries and veins.

14. Mr. Sagoe must have reported my condition to the Medical Officer who thereupon visited me in my cell on the 22nd September, aforesaid, and was told about the weakened condition of my body. He gave me a thorough check up; but did not comment on my condition. During the week, however, I was given

a variety of drugs, one of which I heard the Nurse who was in the "Special Block" to serve the said drugs, remark that it was "phosferine", a specific for restoration of energy. Needless to say, I have since the treatment regained strength of body, but as every asthma attack involves a severe strain on the nerves, veins and arteries, I have been much alarmed by recent developments.

SUGGESTED REMOVAL TO THE PRISON HOSPITAL

15. I took opportunity of the Medical Officer's special visit on the 22nd September to enquire from him whether in the circumstances he did not consider it appropriate to remove me to the clinic at the Prison. (He is in charge also of the general Hospital at Nsawam.) I should recall that on a previous occasion the Medical Officer had told me that the question of removing a detainee to his clinic was not entirely in his hand, but on the 22nd September he assured me that he would consider the matter. A few days later, the Assistant Director of Prisons, Nsawam, visited me in my cell and I took opportunity of the visit to give him an account of my weakened condition. I told him also that I had asked to be removed to the Hospital at the Prison. The ADP heard me sympathetically, but explained that the initiative in such a matter should come from the Medical Officer.

16. During the course of the very frequent visits to me in September and October at night, and during the day as well, to give me emergency aid in consequence of the increased frequency and virulence of the asthma attacks, I had occasion on or about the 10th or 11th October before 9 a.m. to ask for emergency aid. My complaint was lodged with the Corporal-in-charge of what is called here "Up-Landing", namely the top floor of the "Special Block". He in turn, brought the same to the notice of the Sergeant at the ground floor, or "Down-Landing", who was in general charge of both floors that evening. My cell, Cell 9, is at the Up-Landing or top floor. As a result of the emergency call a Staff Nurse appeared that evening at the top floor. It was on this occasion that the Staff Nurse made certain categorical remarks which, in addition to what the Medical Officer had previously told me, strengthened my hand to appeal to Your Excellency for my release from detention, or at least from the

"Special Block" to the Hospital if I am to be assured of my right to security of life as a citizen of Ghana. I do not know the name of the Staff Nurse in question but he is an elderly person. Looking at his features I guessed that he might come from the Winneba area and he did not seriously dispute my suggestion.

"SMALL AND STUFFY CELL"

17. On the occasion in question, upon my door being opened, the Staff Nurse entered, standing at the entrance. Looking at me sternly, he said: "Do you want to see me?" Rather taken aback by this unusual "bed-side manner", I told the Staff Nurse that the Officers who sent for him must have told him the reason for the call. Thereupon the Nurse made certain remarks in the course of which he said: "Let me tell you, you will never be cured of this disease of asthma." I felt rather hurt by this statement and said in turn to the Staff Nurse that he should not say such a thing. Upon this he came over and stood in front of me as I was sitting on my bed and said: "You see, you are a man of age, to be sick of asthma and to be kept here. This cell is much too small and too stuffy for you to stay in." Upon this I thanked the Staff Nurse gratefully for his frank statement and I took my Bible from the bed and touched the top of his head three times and said: "God bless you for having said this openly in the presense of all these officers. Thank you, and God bless you." After this he gave me the usual late night drug, a fair size tablet and another very tiny, slightly bigger than a pin-head, and he went away. Needless to say I obtained some relief that night and slept well, but, as usual, my body and certain organs were weakened.

18. Taking the Staff Nurse's remarks in addition to what the Medical Officer and the Senior Prison Officials had previously said, I decided to submit a Petition to Your Excellency for you to give directions for my release from detention, or, at least, for my removal from the "Special Block" to a hospital. I gave an account of the incident with the Nurse to the Sergeant-Major "Yard Master" and begged him to apply to the Assistant Director of Prisons for petition forms to enable me to appeal to Your Excellency for my release on the grounds of an unusual impairment of my Health.

SPECIFIC GROUNDS FOR PETITIONING

19. The Specific grounds in support of this prayer for Your Excellency's exercise of your gracious favour in consideration of my life, for my release, or at least, for my removal to the Prison Hospital, or to a general hospital, such as Korle Bu, or the Ridge, are twofold.

- (1) I happen to know that asthma, which is an environmental disease, can be cured in the proper environment, and
- (2) I happen to know that a haemorrhage of any of the cerebral arteries or veins, from asthmatic strains or otherwise, can cause death. (Ghana's Kwegyir Aggrey, Aggrey of Africa, died from cerebral haemorrhage in 1926 in the United States of America.)
- (3) A third ground, equally within knowledge, may here be added. I decided to petition for my release because I happen to know that I have not been brought to this Nsawam Prison to be punished on the sentence of a court (no court of justice has put me on trial and found me guilty of a crime known to the law). I happen to know that I have been brought here under the Preventive Detention Act to "prevent" me from doing a certain thing "in the future", specifically, citing paragraph (b) of the Grounds for my Detention:

“(b) Your detention is necessary in order to prevent you from acting in future in a manner prejudicial to the security of the State.”

There, I conclude, if the security of my life as a citizen of Ghana is endangered by this detention, then the purpose of the detention order for what I might do, or not do, in a future life is wholly defeated, the point being that I was not brought here to die but to be kept alive.

20. As regards my experience that asthma as an environmental or atmospheric disease can be cured in the proper environment, I cite my own case to illustrate this. I contracted my asthma malady in 1928 in an Elder Dempster ship when my cabin was next door to either the pantry or the kitchen. It was a journey to the United Kingdom with my late brother Nana Sir Ofori Atta I,

K.B.E., Paramount Chief of Akim Abuakwa. Years later, 1949 or 1950, I was specifically treated for asthma by Dr. Rail at the Ridge Hospital and I was so perfectly and completely cured that for some 14 years I did not suffer in any way from asthma. That is to say, the first asthmatic attack on me, after the cure at the Ridge Hospital with the famous "Rail Mixture", was the attack on me in the "Special Block" of the Nsawam Prison in January 1964. Your Excellency will recall, in fact that in October 1961 you committed me to this Prison at Nsawam on PDA. On that occasion I was not sent to this "Special Block" but was detained in one of the general wards, and two days later, removed to the Prison Hospital at Nsawam here. I stayed in that atmosphere for some weeks before being removed to Ussher Fort, but neither at Nsawam nor at Ussher Fort did I suffer from any asthmatic attacks.

"TOO MUCH THINKING"

21. As regards the possible relationship between asthma and the cerebral and nervous processes, I must beg leave to recall here the specific opinions of two of the Prison Superintendents who have been in charge of the "Special Block" since I was brought here nearly eleven months ago. One opinion was expressed to me by Mr. Sagoe that he thought my asthma was due to too much thinking, and that if I would keep quiet and stay in bed, such attacks could be avoided. My reply to him was that the trouble with asthma was that when the attack was on there could be no question of lying down in bed with asthma quietly or otherwise. The truth is that an asthmatic patient cannot be kept in bed during attacks. The best position when an attack is on is to stand over a chair and face a window for hours of fresh air. The other opinion was expressed by Prison Superintendent Mr. E. Adiaba who stated categorically, about the same week in September when Mr. Sagoe spoke to me on the subject, but on a separate occasion, that he thought my asthma attacks were due to too much thinking.

22. (i) Some psychologists ascribe "too much thinking" to what is called "worry", that is to say, such thinking precipitates or is precipitated by a nervous state of mind. Your Excellency may permit me to ask here: What are my "worries" at this "Special

Block", where I am detained, a place apparently reserved for dangerous, violent or condemned criminals? (In my first few months here, when I was to be shaved or my hair was to be cut by a warder, both of my hands were put in handcuffs behind my back. When I asked the Superintendent whether the handcuffs could not be spared, he said he was sorry. "No; it is the routine here", he added. When I had been here for a few months and the officers were perhaps satisfied that I was not a "violent" type, they got the warders to shave me or cut my hair, without the handcuffs. (But I have never been allowed to do my own shaving myself.)

(ii) It might be appropriate to interpose here a near enough description of the "Special Block" and to add also a picture of the atmosphere of prejudice I have had to undergo because I happen to be an active politician. The "Special Block" is constructed as an "air-and-light tank", in the form of a dungeon, from the cells and corridors of which even the slightest sight of the sun, the moon, the stars, the sky, and even of rain, is utterly excluded. The general effect is to give an inhuman and unnatural and oppressive atmosphere to any sensible creature of God. Added to that is the absolutely distressing experience that some of the junior staff officers-in-charge of the "Special Block" are firmly of the opinion that I was one of the originators of the plan for the "Special Block" and that I had personally approved of the building as a member of the Government. One corporal, of Nigerian extraction, named Martin Olukuma, or some such name, shouted aloud in the corridor of the Block (Up-Landing) that I was a great liar to have said to him that I knew nothing of the origin of the "Special Block". In fact, one higher member of the staff of the "Special Block", a Prison Superintendent by name Adiaba, actually stated that I was a member of the Government and sat on the site committee which approved of the block. When I told him that I had never been a member of any Ghana Government, and had never sat on any such site committee, he then shouted and said that I ought to have "criticised it" before being brought here.

(iii) This altercation between Mr. Adiaba and myself compelled the Chief Prison Superintendent to order my cell door to be shut against me as a form either of punishment to me or of bringing

the political argument to an end. The Chief Prison Superintendent was a newly arrived staff member of the Nsawam establishment, and I was recounting to him my experiences with the Cell No. 9 when Mr. Adiaba intervened with his question.

(iv) The unhappy incident brought the Assistant Director of Prisons, in charge of Nsawam, to my cell the next day. He had apparently received a report from the Chief Prison Superintendent, his next in command, and he made no secret of his displeasure that I had been talking politics. He said: "Dr. Danquah, if you are going to talk politics here, I have to remind you that the chains are there for punishment." Upon this I felt ashamed of myself that I had somehow incurred the ADP's displeasure, and I therefore took pains to recall (with the Chief Superintendent and Mr. Adiaba present) that the Chief Superintendent had been very nice to me during the interview but that it was Mr. Adiaba who had intervened in my talks with his superior officer and had, so to speak, heckled me with outworn political accusations. However, I assured the ADP that I would endeavour not to be tempted to "talk politics" in the Block again. Mr. Baiden, the ADP thereupon left my cell, with every sign that he was not happy with the situation. Subsequently, he ordered that my cell door should be opened, and it was duly opened on the day of his visit. I subsequently had the opportunity to express my very humble thanks to him for causing the cell door to be opened for me. This is an account of one of my worries here as a politician.

MY "WORRIES" HERE "ARE LEGION"

23. (i) In respect of the suggestion by the two Prison Superintendents that my asthma is occasioned by "too much thinking" or "worry", Your Excellency may be moved to enquire as to what are my "worries" at this "Special Block". In reply I would say respectfully, that such worries, the worries I have here "are legion". But I am unable to sustain the thesis that I get attacks of asthma because, contrary, for instance, to our Constitution, the Republican Constitution of Ghana, I am not allowed to pursue my religion in this "Special Block", being specifically prevented to perform my sacred duty to God in respect of His

divine worship. That is to say, I am prevented here at this "Special Block" to attend divine service at the Prison Chapel, which is within singing distance of the "Special Block". According to a Prison Superintendent to whom I applied for opportunity to attend divine service on Sunday, "it is never done." "But," said I, "sometime in May or June, when I applied to your colleague, Mr. Nutsugah, for permission to attend a Sunday divine service, he told me he was going to see the ADP about it." To this Mr. Sagoe pointedly replied: "Did he, really? If he said so to you he was deceiving you. It is never done. It is never done" and he left me as I said, "very well, Sir." (I should explain that for sometime in June, after the 26th, I think, I did not see Mr. Nutsugah on duty again. I believe he left the Nsawam Prison establishment. My application to attend divine service was made to Mr. Sagoe sometime in July.)

(ii) Nor am I worried, Your Excellency, to the extent of getting an attack of asthma because I have been told by a Prison Superintendent (Mr. Sagoe) that I am not supposed "to touch pen and paper here", in particular, for creative writing.

(iii) Nor should I say I am worried to the extent of getting asthma because no correspondence ever reaches me, nor because world "News" and even Ghana Radio "News" are withheld from me at the "Special Block".

(iv) I have, indeed, often wondered why no official Prison visitors (civilian), except the Staff Officers of the Prison Department, ever pay us at the "Special Block" the usual monthly visits, but I would not say this "worry" has given me asthma.

(v) I was, indeed, considerably worried sometime in August when I was specifically denied permission for the Minister of my mother Church, the Presbyterian Church, to be notified on a Sunday morning, to call on me at the "Special Block" after concluding his devotions at the Prison Chapel, and to pray for me. What happened is that in the night of the 31st July I had a troublesome dream, or vision, and I told Mr. Sagoe that I would like to meet the Minister to tell him about it for him to pray for me. Mr. Sagoe asked: "Have you had such a visit before?" I replied "No", and his denial of permission was thereupon communicated to me.

(vi) I have also failed to understand and have been worried by the fact that while other prisoners in the Nsawam Prison are allowed to organise football games and to play them within hearing of the inmates of the "Special Block", we of the "Special Block" are not allowed any social contact or converse of any kind. In fact between the hours of 4 and 5 p.m. when the convict prisoners are gathering to play football, our individual cell doors at the "Special Block" are being shut for the night, and the Ghana Library books which keep our minds occupied with reading, as well as our spectacles, are taken away from us when the doors are shut. Yet at 6 p.m. the lights of the cells are put on and they remain ablaze, till 9 p.m. No reading of the Bible can be done by me during that period of three hours, for my eye glasses were taken away from me when the Ghana Library book was collected and the door shut for the night. I cannot tell now what would be the eventual effect of my utter exclusion from any social contact or contact with mankind, except with Prison Officers, and then, only, to tell them of "complaints". I have recently been receiving visits from my wife (four of such visits since June) and our contact consists, each time, of about half-an-hour's chat behind a wired partition, every word of which is noted by Prison Officers. To all intents and purposes, a detainee or prisoner at the "Special Block" is in isolation. "Man," says Aristotle, "is a social animal. Any person isolated for long from society becomes either a god or a beast." When I was brought here in January there was one prisoner obviously raving mad in one of the ten cells of the "Up-Landing". Later he was, I believe, removed. Quite recently, in August or September, there was another prisoner in the "Down-Landing" also obviously raving mad. He too, I believe, was later removed. In this month of October, about the 23rd and 24th disturbing and uncanny noises were heard from the cell of one of the 1947-48 vintage national Ghanaian leaders, some of whom have been recently brought here into the "Special Block" from Ussher Fort Prison. A national vintage leader from Ashanti, a Chief Linguist by reason of his undoubted ability, another vintage national leader of the Togo-land Congress, and two or three other vintage national leaders, co-founders of the original Convention (UGCC), are also here. Some of them were brought here less than four months ago, and

one of them had been in Ussher Fort and Tamale Prisons for about five or six years. (He was my client before the High Court and the Supreme Court in respect of his PDA detention.) Another, also my client for his PDA detention, has been in prison for about four years. The Togoland Congress man was arrested with me in October 1961. I was released in June 1962, but he is still in, and I was sorry to see him brought down to the "Special Block" from Ussher Fort. In fact I was equally sorry for all the others so brought down from Ussher Fort to the "Special Block".

(vii) Your Excellency knows me well enough, and you will appreciate that I would be terribly worried by the awareness that Ghanaians of great talent and substance are being forced to precipitate down to the horns of the Aristotelian dilemma, of beasts or fancy gods, but I do not thereby subscribe to the thesis of the two Superintendents that my asthma attacks arise from "too much thinking" done by me at the "Special Block". I may mention here in parenthesis that the Draft of this Petition was completed on the 29th October, and sent to the Nsawam Prison Office on the 30th October. On the morning of the 2nd November, I was delightfully surprised to notice that two or three of the older detainees brought here recently from Ussher Fort, and one of whom caused that heart-breaking "noise" on the 23rd-24th October, had been taken away from the "Special Block" and, as I learnt, "transferred to Accra". I do sincerely hope that it means their release from detention or at least, transfer back to Ussher Fort.

WHEN PEN AND PAPER 'ARE TOUCHED'

24 (a) Your Excellency may be interested to learn of the primary cause of my being told by a Prison Superintendent that I was not supposed "to touch pen and paper in this Prison", as narrated in paragraph 23 (ii) above. The narrative will not be complete unless I disclose to Your Excellency the full story, at least as much as may give you a clear idea of the situation here. It happened on the morning of the 31st July 1964. The previous night, the night of the 30th July, from about 9 p.m. till 5 a.m. I decided to make use of my time to compose a "Song of Glory"

for Ghana. It was not an easy mental effort, for I had to do this composition entirely without the aid of pen or pencil and paper. As such, every word, every phrase, as it fell into place, had to be committed to memory before I proceeded to the next line. I set the tune of the song to an old Basel Mission school song called *Yesi yen bo na yeka se, Yen ara Y'asase ni*: "We boldly say, This land is ours." It is a song known to every past student of the old Basel (Presbyterian) Mission Grammar School, now known as Senior Boarding School, at Osu (Christiansborg), Anum, Peki, Akropong, Begoro, Abetifi, Kumasi, Nsabah, etc.

(b) With indefatigable effort, by the time the doors of the cells opened at 6 a.m. I had got the eight lines of the first verse ready, and I was so charged up with a high enthusiasm, I eagerly informed the Superintendent-in-charge (Mr. Sagoe) that I had spent my time in the night composing a "Song of Glory" for Ghana, and that I would like an opportunity to have the words written down. He enquired whether I meant a national anthem, and I said "No, but a song which could be used by schools and for other general purposes, where the national anthem might not be appropriate." I recited the first lines to him and sang them to the above-named tune. The words composed that night were these:

Song of Glory

Glorious Ghana, arise and shine!
Thy star and thy eight regions' stars,
Arise and shine, with God's guidance,
To crown thy spheres of high command.
We praise and sing "Hurrah, Hurrah!"
For Ghana's glory of the past.
Today's challenge is greater still!
Arise, with energy, to gain that glory.

25. I felt greatly disappointed when, in reply to my request for pen and paper to write this down, Mr. Sagoe refused the same firmly with the words: "You are not supposed to touch pen and paper in this prison." "But," I replied, "I have been touching pen and paper to write Petitions to the Government." He replied, "That is different." I must say that I said in reply further, that I did not believe the Government of Ghana would make such

a rule. However, pained as I was, this incident, as aforesaid, was not worrisome enough or at all, so as to give me asthma. In fact I proceeded during the following nights to compose four other verses of the "Song of Glory". I am happy to say that all the five verses have been permanently committed to memory, and I have since been given special permission by the Director and the Assistant Director to put down the poem in writing. They gave me a time limit of ten minutes to set down the first three verses. Later by permission I added the two last verses, 4 and 5.

26. On certain nights, when I ponder over the glory of Ghana, and of Africa, and of Ghana's fearless eagle whose motto in *Gye tuo, gye wo*, "Except the gun, except the serpent," I sing all five verses quietly to myself in my cell, No. 9. Verse 5, the last verse, goes as follows:

Fearless eagle, Ghana's sceptre;
Fly high above the lower spheres
Where chickens merely sport and play
To reach the sun of righteousness.
We praise and sing "Hurrah, Hurrah!"
For the eagle's fearless motto,
"Gye tuo, gye wo." The highest spheres
Of righteousness will exalt Ghana's glory.

THE SUFFICIENT CAUSE OF THE ATTACKS

27. May it please Your Excellency! My point here, in paragraphs 21 to 23 above, is that, during the last 14 years or so, I have had many "worries" like those enumerated in the said paragraphs—I have had to deal with a great many thinking problems—but such thinking or worrying problems did not give me asthma. Ergo, my asthma attacks in this "Special Block" must have deeper cause than "too much thinking".

28. That is to say, the theory of the Medical Officer and his Staff Nurse as to the predisposing cause of my asthma attacks in this "Special Block", namely the smallness of the cell and its stuffiness for a man of my age and condition, must be accepted as the practical and sufficient explanation of the cause of the malady. In fact it is the general view of mankind that close weathers, dampness and uncertainty of temperature are

usually the type of environment to give cause to asthma and to occasional repeated attacks. To this end, when two or three days later, after the visit of the Staff Nurse, the Medical Officer himself called on me on the 15th October, and gave me another thorough examination, including a complaint of dizziness and fainting the previous night, it became easy for him to give me the "low down" on the whole situation. He said that if I myself put in a petition to the Government for my removal to the Prison Hospital it would serve as a useful support to the case he would put up for my removal to the Hospital. Hence this Petition. In fact, I decided upon it on the 11th October, and put in an application for Petition papers through the Sergeant-Major ("Yard Master") on Sunday or Monday the 11th or 12th October.

Special Note.—This paragraph 28 was drafted in October. In November, during the first and second weeks, I suffered from a series of violent attacks, and the Medical Officer had to come and see me on the 8th of the month. After his examination I again put it to him whether, owing to the serious nature of the attacks and their frequency, he would not himself put in a petition to the Government for my transfer to the Hospital. To this he gave a very significant reply. He said: "Oh, no. I cannot write to the President. But you do it, and I will support you." The fact that the Medical Officer in this connection mentioned "The President" and not simply "the Government" clarified the position for me, that this question of whether or not to remove a detainee from the "Special Block" to the Prison Hospital is one of special concern or interest to Your Excellency personally—(13th November, 1964).

CONSEQUENCES OF HEART FAILURE

29. Very respectfully, I would recall here for Your Excellency's special notice that the Medical Officer's decisive opinion as to my heart attacks, as also the asthma attacks, is the nature of the cell in which I have been incarcerated during the last ten months, especially for a person of my age and condition of life. Unfortunately the Doctor at the Prison Hospital is not attending me as a private patient. I have not therefore been able to seek his

opinion as to what might be the fatal consequences if the attacks continued under the present or any other unfavourable atmosphere. It is known as a fact that heart failure, that is to say, the failure of the heart to continue to beat for a continuous supply of the breath of life, leads to a certainty of immediate death. I am not in a position to know for how many seconds or minutes the present stoppages of my breath will be fatal, and I do not think it will be wise on my part to leave such a vital problem of life to a chance cure. Consequently I have decided to submit this Petition to Your Excellency for my release from detention to afford me a free opportunity to consult private medical opinion in this country or abroad. Osagyefo will, I feel certain, agree with me that one might tolerate certain distasteful or disagreeable conditions for a time, but not so a disease of the heart-strings of life.

THE HISSING NOISE IN MY EAR

30. As regards the other maladies listed in paragraph 2 of this Petition, I would point out briefly that the Medical Officer has brought the high blood pressure under complete control. As to the hissing noise in my left ear, it used to be a sign that an attack of high blood pressure was coming on, and when, after such warning, I took the tablets prescribed originally for me at the clinic of the Ussher Fort Prison in 1962, the noise in my left ear stopped as a sign that the attack of hypertension had ended. I brought the tablets with me here in a bottle in January 1964, but it was taken away from me upon my admission to the "Special Block". When subsequently I noticed noise in my left ear, I complained of high blood pressure to the Medical Officer at the Nsawam Prison. He attended to me, and, in consequence, the high blood pressure stopped but the noise in my left ear did not stop. I called the Doctor's attention to it and he gave me a very special treatment. The noise stopped, or became hardly audible for some time, and I told the Doctor so. Unfortunately I have noticed that the hissing becomes very audible and very noisy after I have had a shower bath (the only bath here), but towards the evening it becomes hardly audible. My fear, Your Excellency, is that this hissing noise in my left ear may have some

organic connection with my head or some of my internal organs, and as it has continued for practically the whole ten months I have been at the "Special Block", I am much concerned about it—its possibly concealed implications.

HARDSHIPS ALLEVIATED

31. (i) As regards the rest of the 18 maladies listed in paragraph 2 of this Petition, I wish to make it abundantly clear that several adequate steps have been taken by the Assistant Director and the Director of Prisons, and also by the Medical Officer, to alleviate my hardships and sufferings, and to reduce the incidence of disease as much as possible. In about January or February the scantiness of my clothing was offset by the supply of a warm singlet by the ADP, and I have recently been given a second singlet and a pair of pants to make up for the deficiencies which a piece of cover cloth, 4 feet by 7 feet, originally given to me as my sole clothing on January 8, and used as "clothing" by day, covering up to the top of my knees, and as "cover cloth" at night, failed to meet or combat. A pair of sandals to guard my feet, left naked for four months, was given to me in June.

(ii) Since September, I have been given an iron bedstead by the ADP and the Director, and therefore the necessity for squatting on the ground like a fakir, a practice which used to affect adversely the veins and arteries of my legs and feet, no longer arises. I have been supplied also, since September with a knicker and jumper, which are essential elements of clothing to keep the spine at the back and the chest at the front warmly protected from inclement weathers during the day or night. As no pyjamas suit is issued here, I have had to wear the singlet and the knickers at night, as also during the day, to cover the back, especially the lower part of the spine. *Note*—I am glad to disclose that on Monday 23rd of November, I was supplied with a suit of pyjamas by the Prison Department. Earlier, on my admission here the Director gave instructions for me to be taken out occasionally into the sun for exercises in the enclosed compound opposite the "Down-Landing" of the "Special Block". The practice was carried out under the supervision of the Superintendents, and, on further instructions by the authorities, the

exercises in the sun have been stepped up to twice a week when the Superintendents have time. I have noticed that many other elderly occupants of this "Special Block" are given similar facilities for exercises in the sun.

(iii) Early in October I was supplied with an extra dish of koko, to be taken a few minutes before being locked up for the night. The Medical Officer has also caused me to be supplied, for fourteen days, with a hot cup of Ovaltine early in the morning, and with another cup late in the evening, to offset the under-nourishment. About May or June I was supplied with a 6-ounce tin of milk in the morning with my koko, and since July, on the directions of Mr. Sagoe, the Superintendent, I have been supplied with another 6-ounce tin of milk to be taken with my meals in the afternoon and with my koko in the evening. The authorities and the Medical Officer considered these supplies of milk necessary to make up for the vital deficiencies in the kind of food normally served at the "Special Block".

(iv) These steps taken by the authorities have effected a great change in my body, for at the end of the first four or five months my body had been reduced to a skeleton of my former self, so that when on or about June 19, on the occasion of my wife's first visit, I was asked to put on my Accra day suit, including soft collar and shirt, and my body belt, which I did, it was difficult for her to restrain tears from her eyes on seeing how emaciated I had become and how loosely the dress sat on my body. I must confess that I myself found difficulty in getting the shirt and collar and trousers and belt to fit me without looking like a ghost of my former self. Today, however, owing to the measures taken by the authorities my weight is gradually returning to normal from the appalling low level it fell during the first five months.

(v) I much regret, however, to have to emphasize that the several steps taken by the authorities have not reduced to any appreciable extent the variety and quantity of drugs and mixtures prescribed by the Medical Officer and taken by me from day to day in an effort to repair the great impairment of my health and vital functions or organs. These remedial steps notwithstanding, I cannot be certain of the cumulative effect of such drugs and

mixtures—the greatest in quantity and variety ever taken by me in any previous period of my life.

SEARCH FOR THE FUNDAMENTAL JURISDICTION

32. Finally, I conceive it my duty to call Your Excellency's special attention to the principal maladies underlined in paragraph 2 of this petition, namely; (1) Asthma, (2) Heart Attacks, (3) Cerebral strains or pains of the veins and arteries, (4) Liver complaint and (5) Hissing in the left ear. Not being myself a medical man, I cannot speak with certainty as to what might be the relationship between the several maladies, except to emphasize that the heart attacks and the asthmatic attacks would seem to originate from the same source, namely the conditions governing my incarceration in this tiny and stuffy cell of the "Special Block". The same would seem to apply to the liver attacks and, of course, to the cerebral strains in particular.

33. The position, Your Excellency, is that for about the first five months of my incarceration in Cell 9 of the "Special Block", the door was shut both night and day, and the only occasion I had to go out of the cell, with the door open, was for about five minutes in the morning, and another during the day, to empty and wash my latrine pan, and about 15 minutes at noon to take my bath—altogether about 25 to 30 minutes out of the 24 hours, except when occasionally I was taken out, say once a week, for a half-hour's exercise. On June 5 the Director visited the "Special Block" and gave a general direction for all doors to cells to be kept open during the day. The net result of that direction was that from about 6 a.m. to about 4 p.m. for 10 hours out of the 24, the liberty to breathe the limited uncensored air of Ghana, limited by an enclosed corridor, with no windows to the verandah, was conceded. But for the remaining 14 hours of the day and night I was tightly locked up in a cell medically condemned as too small and stuffy. Your Excellency will recall that in our detention by the British power in 1948, we were given bungalows, with gardens attached, within a wide and bright curtilage. The reason why detention in "free" and civilised and humane Ghana and inside a general prison described to the public as "Medium Security", has never been understood by me.

34. Your Excellency will, by our Ghanaian philosophy of life, be in a position to appreciate that this restriction of "liberty" to breathe uncensored air for a person not convicted of any crime but merely taken in custody to prevent his future conduct in a certain direction, stands in marked contrast to the treatment given to St. Paul, nearly 2,000 years ago, under Roman law, on the occasion he was sent by the Roman Chief Captain of Jerusalem Claudius Lysias, to the Roman Governor at Caesarea, near Joppa, to be sent from there to Rome because it had been discovered that St. Paul was, by birth a Roman citizen. Your Excellency will recall that when the Jewish Council delivered St. Paul to the Chief Captain in Jerusalem, it had originally been decided to give him the treatment of a condemned person. St. Paul, however, got away with his objection that as a Roman citizen he could not be condemned without trial (Acts 22: 25). Claudius Lysias himself was surprised to learn that St. Paul, a Jew, was a Roman Citizen. He asked: How did you become a Roman citizen since I, the Chief Captain of Rome in Jerusalem, obtained my Roman citizenship by "a great sum of money" (Acts 22: 28). St. Paul, however, told him he was a Roman citizen by birth, born a Jew in Tarsus in Cilicia. After he knew this, Chief Captain Lysias became afraid. Later, he ordered that St. Paul should be sent to Governor Felix at Caesarea. As Your Excellency will recall, no less than 200 soldiers, 70 horsemen and 200 spearmen were despatched to guard a single Roman citizen, Paul, from Jerusalem to the Governor at Caesarea, about two days' journey (Acts 23: 23-30). The point I wish to make, Your Excellency, is how precious, even as far back as 2,000 years ago, the liberty of a citizen of a great State, like Rome, was highly treasured. On St. Paul's arrival at Caesarea, Governor Felix did not put him into a cell, restricting his "Liberty" in that sense, for 24 hours a day, but rather the Governor "commanded a centurion to keep Paul, and to let him have liberty, and that he should forbid none of his acquaintance to minister or come unto him" (Acts 24: 23). The charge against Paul was heresy, but in the end he was sent to Rome where, of course, he carried out the plan revealed to him by Divine Power on the way to Damascus, namely, to take the Gospel to the Gentiles. Paul did so and took Christianity to Rome, and so to Europe.

ST. PAUL IN GHANA (?)

35. The question is, if it had been today, 1964, in Ghana or West Africa, freed from imperial Britain in 1957, could St. Paul have claimed that as a citizen of Ghana, a Ghanaian citizen, he could not be condemned without trial? The answer is, "Of course not!" In Ghana today, by the very wording of the Preventive Detention Act any Ghanaian could be condemned under the Act, on any ground thought by the President appropriate, and just because he is a citizen of Ghana. On the other hand, no foreigner can be condemned under the Act, just because the draftsman of the original Act, a foreigner, I think Mr. Bing by name, did specifically mention "Ghanaian" in the first lines and did not say "any person". St. Paul, a Ghanaian citizen in 1964, could have been condemned to five years imprisonment, and after serving the five years, another Act might be passed to say that he should not be released because if he came out it was believed that he would repeat his former conduct (heresy). Thus, if Paul had been charged by Christ to carry out his mission in Ghana, and he had been by some mischarge, arrested for one cause or another, under the PDA, he could not have carried out his Divine mission from Ghana because he was a Ghanaian citizen. He could not have pleaded that he should not be condemned without trial.

36. May it please Your Excellency: I am fully conscious that it might be argued against me that St. Paul was a citizen of a great country which did not condemn anyone before trial, a trial held in an open court, and that it was not so in Ghana. Here, in Ghana, it might be argued, we have in operation the PDA, under which one could be condemned to imprisonment without trial. But that, Your Excellency, is my whole point in my long struggle against the Preventive Detention Act in the High Court and in the Supreme Court. For over 2,500 years, since Graeco-Roman times, at any rate, since the Institutes of Justinian, the civilised world, including members of the United Nations Organisation in the 20th Century, has condemned as unwarranted any law under which a person can be condemned without first being tried in a court. The absolutely vital and essential point is that Ghana is both a christian nation and an international

civilised state. Ghana belongs to the civilised international Organisation known as the United Nations. When Ghana joined the United Nations in 1957 that Organisation had already passed the Universal Declaration of Human Rights, put into force by the Human Rights Commission under the chairmanship of Mrs. Eleanor Roosevelt, consort of the President of the United States of America.

IS "LIBERTY" IN GHANA JUSTICIABLE?

37. The Universal Declaration of Human Rights categorically provides that no one, no human being anywhere in the world, should be condemned to imprisonment, or otherwise, without first being tried in a court of justice. Equally as a christian nation, Ghana stands bound or guided by the principles, laws and commandments laid down in the Holy Bible. By the law of Moses it is provided that no case should be deemed "established" until at least three witnesses have been heard (Deut. 19: 15). And much more directly applicable to our Christian nation, it is laid down by Christ Himself, the Messiah called Jesus, the Founder of Christianity, that "in the mouth of two or three witnesses every word may be established", against a brother, and not otherwise (Matthew 18: 16). St. Paul also puts the same thing in similar language: "In the mouth of two or three witnesses shall every word be established" (2 Cor. 13: 1).

Finally, our own Republican Constitution provides that no one should be hindered or prevented from going to court to seek remedy. Unfortunately the Supreme Court of Ghana, in the Bafour Osei Akoto's appeal against his detention, had held that under the Preventive Detention Act, whether the charge in the Grounds for Detention against a detainee is true or false, the courts of Ghana, including even the Supreme Court, are prevented, that is to say, have not the jurisdiction to go into the question of the truth or falsity of the charge. The Supreme Court held that under the Preventive Detention Act, only you, Sir, as President of Ghana, have the power to determine the truth or falsity of the charge. That is to say, according to the Supreme Court of Ghana, what the Parliament of Ghana did in passing the Preventive Detention Act was to place the liberty of every

Ghanaian into the sole hands of Your Excellency, and thereupon to place the liberty of each Ghanaian above the jurisdiction of the courts of justice. That is to say, Parliament and the Supreme Court, acting separately, but not in concert, have declared that the liberty regained or won for each Ghanaian by their struggle for liberation from foreign rule, is not justiciable. That is to say, in plain language, no court of justice in Ghana has power to help any Ghanaian whose precious heritage of liberty is interfered with under the Preventive Detention Act.

WHAT WOULD OUR ANCESTORS SAY TO THAT?

38. I have neither the desire, nor, I believe, the power to comment here on this revelation of the novel situation of liberty in Ghana today, in the 20th Century of 1964! All I would say, Sir, is this: I greatly wonder what George Alfred Grant, or Joseph Ephraim Casely Hayford, or John Mensah Sarbah, or Father J. B. Brown, or E. J. P. Brown, or Frederick Victor Nanka Bruce, or Akilakpa Sawyer, or J. J. Akrong (of *The Gold Coast Independence*), or Timothy Laing (of *The Eastern Standard Akwapim Chronicle*), or William Essuman Gwira Sekyi, or Nana Sir Ofori Atta I, or Prince Brew of Dunkwa, or Nana Ghartey IV of Winneba, even Nana Osei Tutu of Ashanti, or Yaa Asantewa of Ejisu, or any of our great ancestors who spent their worth and talents and their substances, to secure our liberties even the substance of Jacob Wilson Sey who took part in the Aborigines Delegation to England against the Lands Bill—I wonder what any of these would say if told in their respective graves of this novel revelation by the Ghana Supreme Court of what the hard-fought for treasure of “liberty” has come to mean for each individual in Ghana, the Ghana of today! Whatever they may or may not say, they will assuredly each turn in his or her grave and weep for posterity, in particular, for this generation of “Freedom and Justice”! The tragic fact, of course, is that the Parliament of Ghana, carried away in an unguarded moment by the obvious need for a power to make provision for preventive detention during an emergency, and for the duration only of the emergency, has taken one grave step and turned the emergency need for preventive detention into a permanent and

standing feature of our law, by passing the Preventive Detention Act as now amended, not as an emergency law, but as a permanent and substantive law of the land. If your Excellency will examine the provisions of the existing Emergency Regulations (1962) you will find that specific sections are set down in the regulations for the application of preventive detention. In such cases the period of detention lasts for as long as the emergency lasts, and the persons detained are not sentenced to specific terms of imprisonment. In all cases of detention under Emergency Regulations, a committee or commission of enquiry is set up, and every person requiring to do so is entitled to appear before such commission or committee as happened with the Big Six detained by the British Government in 1948. We, the Six, duly appeared before the Watson Commission and our activities were justified by the Commission's Report. Your Excellency will, I am sure, recall Mr. Aitken Watson's significant statement on the first day the commission sat. He said: "We are not a court. We are making an enquiry. What we find here, if it reflects on any one's conduct, will be a subject for the proper courts." That is to say, detention under emergency regulations, is justiciable. As, however, now revealed by the Supreme Court, detention under the permanent Preventive Detention Act is not justiciable. Your Excellency will, if need be, receive advice from the Attorney-General's Department that all the cases of so-called "Detention" in the United Kingdom cited by the Supreme Court in the famous decision in *Bafour Akoto's* appeal, were cases coming under the War Emergency Regulations; that none of the detainees was charged with a specific offence, and that none of them was sentenced to a specific period of imprisonment! It was simply that the British Government were taking the precaution that during the period of hostilities, any person of foreign origin, or who is a member of the British Union of Fascists, should be detained to prevent them falling into temptations to betray the State, unconsciously or otherwise. In Ghana, however, power has been taken to give the President an advantage to charge citizens of Ghana with "offences", and to have them detained for specific periods, without calling upon them to meet their accusers and to have the charge "established" before a competent court and by competent witnesses! And there is the rub.

THE PRESIDENT HAS JURISDICTION

39. I am fully conscious, Your Excellency, that it was under a law such as that existing in Ghana, called Preventive Detention Act—under which the citizen intended to be deprived of his liberty is not called upon to meet his accusers in open court at a just trial—it was under such a law, a law which is irreconcilable with our Ghana Constitution, the Republican Constitution nor with our country's acceptance of membership of the United Nations and its Universal Declaration of Human Rights, nor with our acceptance of the Christian principles, laws and commandments as those by which our State is guided—our State Officials are usually sworn for Office on the Christian Bible—I am fully conscious that it was under such a law that I was committed to Cell 9 of the "Special Block" of the Nsawam Prisons, and the several maladies I have contracted, or from which I have suffered, therefore, come wholly within Your Excellency's jurisdiction. They are sufferings which affect a far greater thing than my liberty, namely, my life, and since it was in restraining my liberty that my life is endangered, Your Excellency has the power and authority to release me from the commitment to enable me to seek cure and avert the danger to my life in the right atmosphere. What I need is really a free guarantee of the security of my life as a citizen of Ghana, a guarantee which is already seriously endangered by my commitment to a cell of the "Special Block", condemned by the medical authorities here as prejudicing my health, and, in consequence, my life.

LAW, CULTURE AND LIFE

40. I have taken the liberty to invite Your Excellency's attention to this urgent petition because I consider it necessary to emphasize for Your Excellency's notice the absolute urgency of my prayer and of my request for you to afford me an opportunity for freedom to consult private medical opinion in this country or abroad as to the long-term or short-term consequences of any or all of the maladies I have suffered from and, in particular, the five maladies underlined in paragraph two, and reiterated in paragraph 32 supra.

41. Osagyefo will readily recall that I have already addressed a petition to you for my release on personal, humanitarian and cultural grounds. I have also, in my "Representations" against the alleged "Grounds" for my detention made it clear that I have never in my life given time to any plan to endanger our State's security, either in the Defence Forces (Army, Navy and Air Force) or in the Police Force, or, as now strangely named, the Police Service. Nor have I ever indulged in the disgraceful accusation of desiring to overthrow the lawful installed Government of my country by "unlawful means" or to cause others to use "unlawful means" to overthrow the Government of my land. Any one looking at my life and career—my family, my education, my University, my scholarship, my Temple, my vocation in literature or *belles lettres*, my Academics, local and abroad, and the distinction and confidence I have attained in my profession, rising during the last three years to Vice-President of the Ghana Bar Association, and in 1963-64 to become the actual President of the nation-wide Association—quite apart from the international prestige I gained in 1948 as "The doyen of Ghana politics"—and my utter abhorrence of what is called "Positive Action" in certain quarters for political "direct action" instead of "Executive Action"—any one looking at this life and career will reject outright the suggestion that, after having lived a clean life in politics and elsewhere to the ripe age of 68 years, I have, in "recent months", chosen to soil my clean record with some worthless political dirt!

42. Your Excellency will be the first to recall that when in February 1948, our country was faced with the greatest tragedy in its long political life, when Ghanaians had been killed in cold blood by a white police officer called Imray, and Accra's Station Road stores were on fire, what I decided, in the absence of George Grant, and in my capacity as Vice-President of the UGCC in Akufo Addo's (Betty House) at a meeting of the Executive of the Convention, on that fatal night February 28, with you present as General Secretary of the Convention, that the Convention should do, was not to proceed by "Positive Action" to get hold of Captain Imray and finish him, or to throw Governor Sir Gerald Creasy out of the Castle. What I decided was to proceed by "Executive Action", namely, the Executive

of the Convention should cable the Executive of the British power, the Secretary of State for the colonies, to inform him that the Colonial Government of Sir Gerald Creasy having failed in the face of the "disturbances", we, the people of Ghana, led by the United Ghana Convention, were prepared to take over the Government, and that a Commissioner should be sent from England to Ghana to witness and supervise the "take-over", and that Governor Creasy should be recalled. The Executive of the Convention unanimously approved of my decision with acclamation, and they directed you and me to draft the necessary cablegrams. You came to my house that night of 28th February, and I told you to go home and draft the cablegram to the press while I drafted the longer one to the Secretary of State. The two cablegrams appear as appendices to the Watson Commission's Report. That decision of the Convention, led by me, resulted in the Watson Commission and in the Coussey Committee. If any one were to ask me what were the *fons et origo* of Ghana's victory against the British in 1948, I should say to him "Look at the two cablegrams." And it was this pacificatory and philosophic mind of mine (now accused "in recent months" of a fatuous crime), a mind which abhors violence and "positive action" or lawlessness, that conceived that grand and victorious idea for this Ghana of my love.

43. As I was saying, there have been two previous petitions to Your Excellency from me. The first, dated 21st May, dealt with the cultural and humanitarian sides of my present situation, and the second, dated the 12th June, dealt with the legal side. The two are already before Your Excellency, and I understand a communication has been received at the Office of the Assistant Director of Prisons, Nsawam, on or about the 15th August 1964, to the effect that my petition (or petitions) were receiving the attention of the Government.

44. My present appeal is mainly on the fundamental ground of life, basic life, without which neither law nor culture could make much headway, or at all. I therefore appeal now to Your Excellency to take measures to ensure that the security of my life should not continue to be endangered as a citizen of Ghana, this Ghana of my love. And I have every confidence that Your Excellency and your Government will not deny me that absolute

security for the safety of my life by releasing me from detention.

45. I await Your Excellency's early and expeditious favour and gracious endorsement of my prayer for my release. May I say that I do so with a faith and from a belief that you are interested in the safety and continuance of my own life, as a citizen of Ghana and as a fellow human being.

And Your Excellency's Petitioner, as a duty bound, will ever pray.

I have the honour to be,
Your Excellency's Humble and
Obedient Ghanaian,

(Signed) J. B. DANQUAH.

POSTSCRIPT TO THE PETITION

Your Excellency will, I hope, welcome this P.S. to my main petition. It has become necessary because after I had completed the draft petition and sent it to the Office of the Assistant Director of Prisons on or about the 30th October, I received a visit from Elizabeth, my wife, on or about Monday the 1st November, during which she gave me an account of the gracious interview you granted her in connection with the subject of my petition of the 21st May, 1964, for my release on cultural and humanitarian grounds.

2. Elizabeth reported that Your Excellency said at the interview that it had been decided to release me but that you were waiting for the end of a certain case before doing so. She reported also that you added that you did not think I could really give up politics as stipulated in my petition of the 21st May. My wife reported also that my letter to her of the 7th October, in which I asked her to seek the influence of Nana Sir Tsibu Darku IX, and other distinguished Ghanaians to lead her at the interview, was delivered to her only a day or two before her visit to me on the 1st (or 2nd) November. It was not therefore possible for the delegation to Your Excellency to be as high as I had hoped.

3. There are two points in my wife's report I would like to comment upon briefly, namely, the reference to "the end of a certain case" and Your Excellency's view that you did not think that I could really give up politics upon my release.

4. I comment on the latter first. As was made clear in my petition of the 21st May, and in my "Representations" of the 12th June, the present atmosphere in which Ghanaians are expected to contemplate politics, the atmosphere so well put by Mr. N. A. Welbeck, Secretary of the CPP, as "Yours is not to reason why" is so different from the Ghanaian tradition of freedom in politics as studied by me at the feet of the late Joseph Ephraim Casely Hayford, that it would be pointless, indeed, foreign to my nature, to participate in it.

5. But that does not mean that all scopes to serve the nation would thereby have been closed to me. My study of Philosophy has taught me that many a man can rise to eminence in the service of their nation without having to become political leaders. Shakespeare and Bertrand Russell are obvious examples in the United Kingdom. I respectfully assure Your Excellency therefore that when released there will be plenty of room for my talents to be placed at the service of the nation without having to indulge in politics. And I have already given legacies to the nation in this respect in my various publications.

6. I actually entered politics seriously in 1931 when, after Casely Hayford's death, there was no outstanding national leader to carry the torch of liberation. I took over the 1927 Youth Conference and ran it till 1947 to educate and prepare the nation for what was to come. I did so, till 1947 when in February of that year, I met George Alfred Grant, with whom I drew up the plan for our national liberation in political terms, namely, "to ensure that in the shortest possible time, . . . the control and direction of the Government of the country shall pass into the hands of the people and their Chiefs".

7. The ball set rolling at Sekondi and Saltpond in 1947 culminated in the Watson Commission of 1948 and the Coussey Committee of 1949. I appeared before both the Commission and the Committee, and the international recognition achieved by me as "The doyen of Ghana politics", has never never been disputed.

8. The Watson Commission recommended that the people of Ghana were fit to achieve independence within ten years, and this actually happened almost on the dot, namely, March 1957, ten years from my meeting with George Grant. That was "the shortest possible time". It could have been made shorter, if, for instance, you had accepted my amendment for a "Declaration of Independence" as a substitute for your "Motion of Destiny" by which you asked the British to grant us self-government. But you rejected the amendment on the grounds that we would, if it was accepted, thereby "forfeit our British goodwill". Had my motion for Declaration of Independence been accepted by you, as was the case in the Sudan, we could have had our independence in 1954, that is to say, 110 years after the Bond of March 6, 1844. As it is, the event came in 1957, 113 years after the bond.

9. But all this is a matter of history. Independence is won at last, and what we do with our Mother Ghana, our Sweet Ghana, is the heaviest of Ghana's burdens today. I have no wish to run away from that burden and go to live in a foreign country, but, as matters stand, if my advice is not desired by those in power what can I do but to withdraw from the political sphere? Even a Judicial appointment given me in 1963 by the Ghana Judiciary as Editor of Ghana's Law Reports, was strongly objected to by Your Excellency on "political" grounds, and I decided to resign from the post in consequence of your objection, even though it was an objection quite contrary to the Republican Constitution, not to "discriminate" against persons on political grounds.

10. As regards the revelation made to my wife that Your Excellency was waiting for "the end of a certain case", before putting the decision to release me into execution, I have to emphasize for Your Excellency that I am not in the least bit interested in any "case" involving any persons who are probably unknown to me. Since I was brought here to Nsawam on January 8, I have not been told of any alleged connection with any case. In fact, in my "Representations" of 12th June, I exhausted all the aspects of my "activities" in "recent months" likely to be of public interest and I asked that if there was any respect in which I had not covered my "activities" fully or satisfactorily, I should be informed for me to offer any necessary explanations.

11. That was five months ago. During the period to date what has happened are the following events:—

- (a) On or about the 10th June, I was called upon to answer a Ghana Government Questionnaire: (i) To disclose the number of my children of school-going age; (ii) My income; (iii) whether I would, on my release, look to the Government to find work for me; (iv) and whether the Minister in charge of my Church would guarantee my conduct if released, and (v) I was asked also about my next of kin.
- (b) About a month later, on the 7th July, I was called upon at the "Special Block" here by a delegation of two officers from the Prison Director's office to answer a *viva voce* interrogation on my political career since I was born, and they asked whether I was prepared to give up politics upon my release. In answering the questions I did my best to restrain my tears, but I reminded them that I had, in fact, already written to you, Sir, in my petition of 9th May to intimate to you my intention to give up politics upon my release.
- (c) About five weeks later, on or about the 15th August, the Assistant Director of Prisons, Nsawam, called at my cell and informed me that he had received a letter from the Government saying that my petition was receiving their attention.

12. From August 15, to date, over three months, I have not had the pleasure of hearing anything to the contrary from the Government as regards (a) The Questionnaire, or (b) the *viva voce* Interrogation, or (c) The Government's attention to my petition. All I need say therefore is that Your Excellency and your advisers must look at me, fairly and squarely, from my origin to date, and say whether I would ever dream of soiling my hands and the dignity of my family, my institutions, friends and contemporaries, e.g. Sir Edward Otchere Asafu-Adjaye, Sir Samuel Okine Quashie-Idun, and Justice of Appeal, Mr. R. S. Blay, and disgrace them, and me, with a dirty "case" on my hand.

Not this Danquah, believe me, Your Excellency.

Yours respectfully,
In the Service of Mother Ghana,
(Signed) J. B. DANQUAH.

*Cell 9,
Special Block,
Nsawam Prison,
30th November, 1964.*

Statement by Dr. J. B. Danquah on the subject of his being put in chains or leg-irons

On or about the 30th June, 1964, between eight and ten o'clock in the morning I was put in leg-irons by five warders in the presence of other warders in my cell No. 9 of the "Special Block". The warders concerned in the assault and battery were (1) The Yard Master, Sergeant Dogo Moshie; (2) The Officer-in-charge of Up-Landing, Corporal Olukuma, I think, is his name; (3) Another officer whose name I know as Asare but might be Issale, a Hausa man; (4) Another warder by name Alidu Wangara; and (5) the OBK of UP-Landing called Akyeamong, a Twi man of Brong-Ahafo.

I was so kept in chains—both feet—till I was called upon to come for my bath, at about 1 o'clock. Sergeant Dogo Moshie who was in charge of both Up-Landing and Down-Landing, came up from Down-Landing and, with the help of Corporal Olukuma, removed the chains from my legs. Dogo Moshie told another warder to take the chains away to the store, and I was then told to come out for my bath.

I did so gladly, relieved of the heavy weight of the leg-irons on my two legs. When I got to the bath room, with my chamber pot and water jug in my hands, I went on my knees and touched my forehead to the ground and showed my gratitude to Sergeant Dogo Moshie, for removing the chains from my feet. I did so because I had thought that I would be kept in chains from day to day, and I was greatly relieved when the chains were ordered by Dogo Moshie to be taken away into the store. Corporal Olukuma who witnessed the scene of the manner I showed my gratitude to Sergeant Dogo Moshie said to me: "You should not have thanked the Sergeant with your chamber pot in your hand." And I replied that that was a civilized remark to make but that I did so in a hurry because I thought the Sergeant might leave for the Down-Landing, making me miss my chance of thanking him.

Although the process of putting me in chains occasioned considerable commotion all over the "Special Block", such as

could be heard at the Down-Landing as well as the Up-Landing, no senior officer came on the scene until the next morning when Prison Superintendent Mr. Sagoe came on duty, and I then reported the matter to him. He asked, "When did this take place?" and I answered "In the morning before bath time, just after you and the Chief Prison Superintendent had left the Up-Landing after Chief Superintendent's visit." I wanted to give him the names or descriptions of those involved, but Mr. Sagoe told me to hold on. I regret to have to remark that, for one cause or another, Mr. Sagoe put this question of the names, off and on, for over a month.

On or about 18th July when I pressed him again to take the names of the warders in question, Mr. Sagoe, the Prison Superintendent, made a surprising statement to me. He said, "Do you expect me to believe you in preference to my men?" I asked, in great astonishment, "What men?" He said: "The men-in-charge." "But," I replied, "you have not yet taken the names of the men in question from me." He said "Ah!, well" and he left me.

It was not until the first week of August, when the Assistant Director of Prisons (Mr. Baiden), visited me in my cell, and seeing my left thumb heavily bandaged, asked me what occasioned the bandage. I told him that my thumb was sprained in a struggle against five warders who came to my cell and put me in leg-irons on or about the 30th June. I then gave him the names as above.

The circumstances which led to the incident of chaining are as follows:—

On or about the 26th June, the Assistant Director of Prisons was holding an enquiry into a complaint against me by Mr. Nutsugah, also a Prison Superintendent in charge of the "Special Block". Mr. Sagoe, his colleague, came on the scene from outside, and met Mr. Nutsugah making his statement which was being taken down by the Assistant Director of Prisons, Mr. Baiden, at the reception hall to the "Special Block", Down-Landing. Mr. Sagoe stood in the yard for a while listening to Mr. Nutsugah's statement. I think the Prison Superintendent was at the time under cross-examination by me.

Suddenly, Mr. Sagoe openly and loudly made a statement to Mr. Nutsugah to help him over a difficulty. I objected to the interference and asked: "Is this gentleman entitled to intervene in these proceedings?" To this, Mr. Baiden, the Assistant Director of Prisons, quietly and firmly remarked; "This is an Order Room." And that was the end of Mr. Sagoe's interference.

A day or two later, Mr. Sagoe was on duty at the Up-Landing. I told the officer-in-charge to tell the Prison Superintendent that I had "a complaint to make to him". (That is the usual procedure for drawing attention of the Prison Superintendent to the needs of a detainee.) Mr. Sagoe came along from the OBK's table. When he got to my cell door (which was locked), he asked, "Well?" And I got up and said to him: "Sir, could you arrange to let me have my exercise in the sun today?" At this Mr. Sagoe barely looked at me, and pointing his thumb to his chest, said "You are asking me?" And he passed on without stopping for an answer.

Mr. Sagoe was, at that time, the only Prison Superintendent in charge of the "Special Block". His colleague, Mr. Nutsugah was absent that week. I waited till the 30th June (I believe that was the date) when the Chief Prison Superintendent (Mr. Akpali) came on his special round of inspection.

When Mr. Akpali got to my door and asked whether I had any complaint, I started to tell him of how Mr. Sagoe had put me off when I had asked him whether he could take me for the usual exercise in the sun. (According to standing arrangements made at the request of the Director of Prisons, I was to be taken out for exercises in the sun at least twice a week. I believe this applies to other detainees as well, and it is chiefly the Prison Superintendent in charge who takes us for the exercises.)

As I was addressing the Chief Prison Superintendent, a senior to Mr. Sagoe, I had hardly completed my statement when Mr. Sagoe, who was standing some distance away in the corridor, shouted, interrupting my statement: "He is under punishment and should not be taken out for exercises!"

At this I was greatly upset, first because the statement he made was not altogether true, and secondly because he had not allowed me to finish my complaint to the Chief Superintendent, nor allowed or suffered the Chief Superintendent to refer the matter

to him before replying, as discipline required. I was upset by the untimely interruption and therefore said, suddenly, "Shut up!"

I must confess that I soon realised that my language had not been polite enough, nor shown sufficient respect to the officer-in-charge of the Block.

But I knew his statement was not true because since I was put under "lock up" by way of punishment from the 6th of June, I had been taken down for exercises in the sun on two occasions: once by Mr. Nutsugah and on another occasion by the senior Yard Master whose name I do not know but who is addressed as "Sergeant Major" because he comes on duty in his Army Officers' Cross belt.

However, after I had told Mr. Sagoe to shut up there was great commotion in the corridor, for some of the warders were obviously not pleased with my language. Mr. Akpali passed on from my cell No. 9 to Mr. Antor's cell No. 10. When he was returning, and as he passed my cell, I asked him: "What about my complaint, Sir?" He answered and said "But your behaviour just now has not been nice." I said I was sorry and he left.

As Mr. Akpali left, Mr. Sagoe followed him to the Down-Landing. Sergeant Dogo Moshie also followed them and he was shouting: "You abuse Prison Superintendent? Today I go chain you."

Sergeant Dogo Moshie had been in the habit of threatening me with chaining ever since I was brought to this Prison. He did so on all kinds of petty occasions. I usually begged him on my knees and he would take the chains away. On one occasion I was talking to him and, in reply, I said "Yes." Corporal Olukuma who was present at the cell door with Sergeant Dogo Moshie, said, "Don't say 'Yes' to the Sergeant; say 'Yes, Sir'." I replied, "I am a bush man and I do not know all the rules here." Thereupon Olukuma told Dogo Moshie: "He says you are a bush man." Dogo Moshie upon this became wild, and said he was going to chain me for abusing him. I begged him on my knees explaining that the interpretation put on my words by Olukuma was mischievous and wrong. But to no avail. A crowd gathered and among them was Olukuma to beg Sergeant Dogo Moshie not to chain me. Upon this (as the cell door was already opened)

Corporal Olukuma entered the cell and, stretching himself to his full height (he is a tall and big man), said, loudly, "You ask me to beg him for you? Do you know me?"

I need hardly say I was astonished by Olukuma's attitude. I understand he is called "Martin", which should mean he is probably a baptised Christian. I thought he had forgotten about the Good Samaritan! Anyhow I went on begging Sergeant Dogo Moshie on my knees, and at last he gave it up. I heard Olukuma ask him in the corridor, "You did not chain him?" "No," said Dogo Moshie. "He begged me, and besides it is his first offence." I need hardly say that for some reason I do not know Olukuma was much displeased with this failure to chain me.

Later in the afternoon, the Prison Superintendent, Mr. Sagoe, came on duty and enquiring into this matter at my cell door, with Dogo Moshie present, he said, "Oh, but that is all right. The prisoner is indeed a bush man. He comes from the bush".

On another occasion, Dogo Moshie wanted to put me in chains because I had said, "Thank you, Sir" to him when he did something for me. Dogo said, "I have told you several times don't say 'Thank you' in this place. I am only doing my duty when I hand you something, such as your laundry." Again I had to beg Dogo Moshie not to put me in chains for that language had been taught me from my youth, and I could not help using it here by habit. To this he replied, and said "Ah, you say I no go school, I go chain you now." I went down begging him. Mr. Sagoe, the Prison Superintendent, was then on duty at the OBK's table not far from cell 9. On seeing and hearing the commotion in front of cell 9, he came over and told Dogo Moshie "As he has begged you, leave the matter". Dogo then went away with the chains.

Indeed so often did Dogo threaten me with the leg-irons that it became fashionable whenever I did anything unusual for people to say "You wait, Dogo will come."

Adverting to the particular incident of June 30, Dogo Moshie, after going down with the Prison Superintendent, Mr. Sagoe, to the Down-Landing returned with the leg-irons in the hands of one Halidu Wangara, a biggish type of man. I believe this man was that day on duty at the Down-Landing and that Dogo Moshie brought him up specially to do the chaining.

Dogo opened my cell and entered with Halidu, and a large number of warders followed them to my cell, and some stood at the door. I stood up when Dogo entered. He told me to sit down. I said, "Well, the big man has come to my cell, and so I must stand up." They all shouted "Sit down". I was forced down with my legs towards the entrance (east) and my head across my blankets on the floor at the west wall. Dogo said, "Why you tell Prison Superintendent 'Shut up'? I go chain you today. Go on. Put the chains on him," he said to Halidu (or Alidu). Thereupon Halidu took hold of my legs, assisted by other warders ready to chain me.

I struggled with Halidu Wangara. At the same time Dogo was kneeling by my side, and I asked him: "Have you the authority of the Assistant Director of Prisons or the Director to chain me?" To this he replied with an answer which seemed to me to be a display of sharp native wit. He said, "Did you get the Director's permission before you told Prison Superintendent to shut up?"

That was cleverly said, I thought, but the struggle was going on with Halidu and he was meeting great resistance from me. But before I knew where I was, Corporal Olukuma who was standing near Halidu, noticed that he was finding it difficult to put the leg-irons on my legs, so he said to Halidu: "Oh, you don't know how to do it? This sort of thing is easy work for me. Give me the chains." Upon saying this he took over from Halidu and with great force clapped the chains on my left leg followed soon by action on the right leg. I had not, in the meantime, given up the struggle, but I noticed that my hands were not in action. They were in the firm grip, beyond my head, of Mr. Asare, who had thereby pinned my hands down. I tried to force my hands out of his grip but I felt his tight hold at my chest and could not breathe freely. I moaned "My chest, my chest. My asthma. I am dying" for my chest had become very tight, as in an attack of asthma.

By this time Olukuma had finished with me. Asare, seeing that it was over, left my hands, and I stood up in leg-irons, both feet.

There was a sort of big noise in the entire premises. I was locked up and many of the warders stood in the corridor jeering at me.

I should mention that the part played by Mr. Akyeampong, the OBK, was much more than aiding and abetting. While the argument and struggle was going on between me and Dogo and his henchmen, Mr. Akyeampong stood at the entrance, behind the crowd, and in his slender and rather handsome figure, shouted loudly, as a sort of a second commander-in-chief: "Chain him! Chain him!"

Later during the day, while I stood behind my cell door, with the crowd in the corridor, Mr. Akyeampong demonstrated with his hands and feet and said, "Next time when we get you, it will be worse than this. We will chain your leg and hand together, like this" and he made a display of the extremely angular position from the perpendicular that that sort of chaining would entail.

The Sergeant-Major came on the scene later. He met the crowd still discussing the matter in the corridor. He came up to my cell door and asked: "What about it? Chained at last?" I said "Yes, Sir, your friend Dogo has got me at last." I told him the entire story and asked him to go and beg Mr. Sagoe, the Superintendent, for me. I told him my language had not been polite enough, that it was too harsh of me to tell the Prison Superintendent "Shut up". He agreed to go and see the Prison Superintendent about it.

On this occasion when I was discussing the incident with the Sergeant Major, Corporal Olukuma made the following statement:

"This man is a truthful man. He has actually admitted to the Sergeant Major that he told the Prison Superintendent to shut up. He is a very courageous and truthful fellow. What happened is that when the Prison Superintendent left for Down-Landing, Dogo followed him and asked him whether he should come up and chain No. 9, and Prison Superintendent said to him 'Go ahead'. In the past he had stopped Dogo from chaining him, but this time he gave him permission."

Many people must have heard this remark, but as it is hearsay I do not feel I should hold it against the Prison Superintendent.

At bath time, after the chains had been removed, I felt some pains on my left leg and also in my thumb. I told Olukuma, who was in charge of bath, about it, and he said he was not surprised. He told the story of how he had chained a runaway prisoner in the train. The prisoner had jumped from a car, and he was sent to fetch him back. He brought him back by train. He had to chain him by the thighs. A young warder present in the bathroom asked him: "Could you do that, since the chains are for the legs?" Olukuma replied: "There is a way of doing this thing if you press his skin together."

When I reported to the Prison Superintendent I asked for medical attention for my thumb. I felt a slight pain also in my right arm opposite the elbow. The Doctor came but I do not know whether he was told that there had been a struggle. He asked whether all my fingers were in pain, but I said no, only the thumb, from a struggle. However, he sent me the usual tablets I had been taking from him for pains in my body. I complained of this to Prison Superintendent on one or two occasions, and in particular on the 16th July. Later the Doctor came and saw me again. I told him about how I received the sprain in a struggle with warders who chained me. He then sent a nurse who came and bandaged my left thumb down to the base of my hand. The bandage was on for over two weeks. It has been taken off now, but I still have pains in the thumb especially if I want to handle a heavy article, such as my chamber pot.

The Prison Superintendent, Mr. Sagoe, also examined the scratches on my left leg. There were about three of such scratches, one long one and two short ones. They are healed now but the scars are fairly visible and I believe their nature can be established upon X-ray. The pain in my right arm did not last more than two days.

My wife paid me a visit on the 22nd July, and saw the bandage on my left hand. She asked me the cause and I explained that some warders chained me for speaking roughly to the Prison Superintendent and I struggled with them and got the sprain. I told her that I had apologised to the Prison Superintendent for my rough language and he had forgiven me. My wife told me to try and take things coolly with every one.

In fact, when the next day I had reported the chaining to Mr. Sagoe, the Prison Superintendent (on the 1st July), I took opportunity to apologise to Mr. Sagoe personally for having used harsh language to him. Instead of simply saying "Please do not interrupt" I had said "Shut up" which was inelegant language. He frankly and kindly told me to forget about it, and I thanked him for forgiving me.

Early in August, after I had told the story of the chaining to the Assistant Director of Prisons, I was summoned to the reception hall at Down-Landing. There statements made by the persons named by me as placing me in chains were read to me by the Assistant Director of Prisons. All five persons were to make verbal statements in my presence. To my astonishment I noticed that all five of them rigorously denied the act which they had so openly and violently embarked upon on 30th June.

Dogo Moshie said he did not actually put me in chains but only brought out the chains to show me and said to me that I had, as alleged, once abused the other Prison Superintendent Mr. Nutsugah before, and now I had abused Mr. Sagoe. If I did that again for the third time he would chain me. *He added that upon saying this to me he took the chains away. He alleged that he never opened my cell door on this occasion but merely showed the chains to me through the aperture in the door.

The four others came and gave similar statements, varying accounts of made-up story, which they had apparently agreed among themselves by responsible officers of the Prison Department, three of whom must be each above 40 years of age, and two of whom, obviously under 30 years of age each, are educated and intelligent. I dread to see the consequences of such conduct in their after life.

Mr. Akyeampong, in particular, said that there had been a meeting between them and Mr. Sagoe, the Superintendent, at which I had been present, and that they all had made their denial in my presence. There ought to be some evidence of the several incidents in the Occurrence Book unless it has been tampered with. I have never, since the incident, met with all the five persons and Mr. Sagoe in connection with this matter, and

Note: *Mr. Nutsugah's complaint of abuse collapsed, as far as I am aware.

I suspect that Mr. Akyeampong must have something on his mind. If they and Mr. Sagoe have had a meeting about the matter I have no direct evidence of it. However, I was happy when at the conclusion of his investigation, the Assistant Director of Prisons (Mr. Baiden) remarked to me: "I personally believe your story. You have always told us the truth since you have been here. I do not see how you could think of inventing such a story, that five officers had chained you. There can be no way in which the sprain in the thumb and the scratches on your left leg could otherwise be accounted for. The circumstances show your account of what took place to be true. I shall send my report to the Director."

I thanked the Assistant Director of Prisons for his fair comment and summary, and for the action he proposed to take.

On the 15th August, the Assistant Director of Prisons saw me in my cell and said that the Director had called for a statement in writing by me to set out the facts and the circumstances of the incident.

The Assistant Director of Prisons, insisted that my statement should be a short one, but I regret that it has taken more than a page or two. I thought it my duty to disclose to the authorities as much as I knew to enable them to have a fair view of the matter and to come to a just decision.

(Signed) J. B. DANQUAH.

18th November, 1964.

Cell 9,
Special Block,
Nsawam Prison,
August, 1964.

His Excellency,
Osagyefo Dr. Kwame Nkrumah, P.C., LL.D., etc.,
President of the Republic of Ghana,
Flagstaff House, Accra.

Dear Dr. Nkrumah,

I am tired of being in prison on preventive detention with no opportunity to make an original or any contribution to the

progress and development of the country, and I therefore respectfully write to beg, and appeal to you to make an order for my release and return home. I am anxious to resume my contribution to the progress and development of Ghana in the field of Ghana literature (Twi and English), and in Ghana research (History and Culture), and I am anxious also to establish my wife and children in a home, to develop the education of my children (ten of them) and to restore my parental home at Kibi (Yiadam House) to a respectable dignity, worthy of my late father's own contribution to the progress of our country.

You will recall that when in 1948 we were arrested by the British Government and sent to the North for detention they treated us as gentlemen and not as galley slaves, and provided each of us with a furnished bungalow (two or three rooms) with a garden, together with opportunity for reading and writing. In fact I took with me my typewriter and papers for the purpose, and Ako Adjei also did the same, and there was ample opportunity for correspondence.

Here, at Nsawam, for the four months of my detention up to date (8th January to 9th May 1964), I have not been allowed access to any books and papers, except the Bible, and although I was told in January that my application to write a letter to my wife, Mrs. Elizabeth Danquah, could be considered if I addressed a letter to the Minister of the Interior, through the Director of Prisons, I have not, for over three months, since I wrote to the Minister as directed on the 31st January 1964, received any reply, not even a common acknowledgement from the Minister as to whether I should be allowed to write to my wife or not. As I had no opportunity to make any financial provision for my wife and children at the time of my arrest, this delay in the Minister's reply has made it impossible for me to contribute to the progress and maintenance of my wife and also for the education of my children as is my duty to the nation.

Secondly, you will recall that barely a month after our detention in the North in 1948 we were brought down to Accra and released to appear before a Commission of Enquiry set up to investigate the justice or otherwise of our arrest and detention. We duly appeared before the Watson Commission and made history for Gold Coast and Ghana. It resulted in the finding that

the Burns Constitution was out-moded at birth, with a recommendation that our country should attain its independence within ten years, and that a Constitutional Committee (the Coussey Committee) should be set up to lay down the foundations of such independence and the steps to be taken towards its attainment.

In the present case, since I was arrested four months ago, I have not been asked to appear before any judge, or Committee, or Commission, and, up to now, all I have been told is contained in a sheet of paper entitled "Grounds for Detention" in which I am accused that "in recent months" I have been actively engaged in a plan "to overthrow the Government of Ghana by unlawful means", and that I have planned thereby "to endanger the security of the State" (the Police and Armed Forces).

As no particulars of any kind were provided in the grounds for detention to indicate how the Government of Ghana came to formulate such a disgraceful charge against me, I spent in the prison here the greater part of January and February 1964 to write a review of the whole of my activities in "recent months" (roughly, from June 1962 to January 1964). This writing was done by way of "Representations" in answer to the charge. This review, in two documents of about 50 pages, has been in the hands of the typists in the office of the Assistant Director of Prisons, Nsawam Prisons, since the 16th February 1964. The final typing was seen by me on the 17th and 18th April, and I understand they are busy making corrections. As, however, they are a busy people I cannot expect more than this from them.

I confidently assure you, Sir, that when my "Representations" reach you, it will be realized that my contribution in the said period of "recent months" to the intellectual and cultural achievement of the country was such that what should have been sent to me on January 8, 1964, was not a hostile invasion of my home and family, like enemy territory, together with my arrest and detention, but rather a delegation of Ghanaian civil officials and other dignitaries to offer me the congratulations of the nation and the thanks of the Government for my inestimable and distinguished contribution to the higher achievements of our great nation.

This, however, was not to be, and I find myself locked up at Nsawam Prison in a cell of about six by nine feet, without a writing or reading desk, without a dining table, without a bed, or chair or any form of seat, and compelled to eat my food squatting on the same floor where two blankets and a cover are spread for me on the hard cement to sleep on, and where a latrine pan (piss pot) without a closet, and a water jug and a cup without a locker, are all assembled in that narrow space for my use like a galley slave.

As aforesaid, I am not allowed to do any reading except the Bible, and I am, on the other hand, required to sleep or keep lying down on the blankets and a small pillow for the whole 24 hours of the day and night except for a short period of about five minutes in the morning to empty and wash out my latrine pan, and of about ten to fifteen minutes at noon to go for a bath. I am occasionally allowed to do a short exercise in the sun say once a week for about half an hour.

That is all I have been engaged in in four months with any talents, such as I possess, going waste and my health being undermined and my life endangered by various diseases without being allowed to be taken to the Prison Hospital for continuous observation and treatment.

Mr. President will be the first to agree with me that when I talk of my talents and contribution, I do not do so from a spirit of empty boasting, but that the examination of my career as a student in England (1921 to 1927) where I and others established the West African Students Union (WASU) and the Gold Coast Students Association, and, further, the examination of my career as a politician at home, from 1927 to 1957, when I established the Gold Coast Youth Conference (1927 to 1947), and, together with the late distinguished George Alfred Grant and others, established the United Gold Coast Convention (which sent for you from England in 1947 to come and help us), together with examination of the number and quality of books I have written on Ghana—acts which readily justified my position as foundation member and Fellow of the Ghana Academy of Sciences—fully entitle me to say that so long as there is life in me and my energy remains unimpaired, I can yet add a few chapters to the richness of our history, not in particular as what

the Watson Commission called "the doyen" of our politics, but in the field of pure literature and pure knowledge for which the Academy of Sciences exists under your direction and presidency.

Osagyefo will, I am sure, readily recall that I wrote my first book, *The Akan Laws and Customs*, at a time when I was a young clerk (Tribunal Registrar) at Kibi and when I was hardly 25 years of age and had not seen the inside of a College or University. That book is now a classic and has in recent years been quoted with approval by the Privy Council. I have myself no doubt that I have many more years of useful service in me for the nation, and I am anxious to let the nation have use of it.

As for politics, I assure you, Sir, that I have had my fill of it. I feel that the time has amply arrived when I should leave that area of our life to the young folks coming after us to occupy their talents and strive as much as they can for its tricky laurels. As you may have noticed, from June, 1962, to January, 1964, after my release from the 1961 detention, I did not attend or summon a single political meeting or committee. The manuscript of my book *The Ghanaian Establishment*, which appears to have caused a furore when a copy was seen in the Post Office, or was taken from my bedroom desk by the Ghana Police, is really a collection of matters which are already public property, namely, my public lectures, and my letters to you and certain Government officers, such as the Chief Justice and the Speaker, and also a reproduction, with a short comment by me of your famous radio talks on the decline and degeneracy of our morals in certain quarters during the last few years.

With regard to this manuscript, I feel very strongly, Sir, that if there was anything about its contents which was objectionable to you, you could have sent for me for discussion and I would readily have apologized and withdrawn the intended publication or the portion of it objected to by you.

However, I am now left in a prison cell at the "Special Block" at the Nsawam Prison reserved for "dangerous criminals", and I am being thereby effectively prevented from making any original contribution to the intellectual and cultural progress of our country, in particular, my work on the Ghana hypothesis of our Gold Coast origin is being held up, and the Universities and the students and the scholars of our country are being

deprived of the materials which by 36 years of research has made me one of our country's specialists, a subject which you yourself referred to last year in your speech at the Ghana University that "our friend Danquah has also written some books on Africa"—or words to that effect.

When in this connection, I read the second paragraph of the grounds for my detention and gathered that I am being punished by imprisonment to prevent me from taking any part in the country's life, not for what I have done at present but for what I may do, or not do, "in the future", I was completely astonished that in taking that decision the Government did not balance my distinguished record at my age 68 against the possibility of an offence entirely foreign to me, and to my career and my way of thinking.

The curious text of the second paragraph of the grounds for detention reads:

"Your detention is necessary in order to prevent you from acting in future in a manner prejudicial to the security of the State."

This is punishment for a crime not yet committed, and Mr. President will, I am sure, be the first to condemn it when its full implications seize his soul and his spirit in a vision of God.

I was told by the Army Officer who arrested me at my residence, on January 8, that my wife and children and other residents should leave the house within six hours and I noticed that the Army Officers commenced a search into my papers. I was not told for what purpose the search was being made. If perchance they were looking for evidence of any crime against the State, any one who knows me as a person brought up in the Yao Boakye tradition of respect for authority (*susu biribi*) would assure you Sir, that if a search were made for felonious or treasonable matter in my house and papers nothing of the kind would ever be found.

However, since the search was commenced in my house by the Army four months ago, no one has approached me on any matter found in that crimes against the State are not to be found in me.

In the circumstances, I respectfully assure you, Sir, that it would be more profitable for the nation and people for me to be

released and allowed to go on with my intellectual and cultural contribution to the progress of the State. When last year you sent me a complimentary copy of your book, *Africa Must Unite*, actually autographed with your own signature, I was delighted to note this further evidence of friendship and esteem, and I was happy to note also in the Messenger's Receipt Book that the other distinguished Ghanaian to whom an autographed copy of your book was likewise sent was the late Dr. Burghardt du Bois.

In my letter of thanks, I mentioned that I had earlier bought a copy of the book and had wished to meet you to discuss the matter before your departure to the African Summit Conference in Addis Ababa. This, however, could not be arranged by Mr. Okoh, the Cabinet Secretary, and therefore, up to now, you have not obtained my views on this question of African unity. I do hope that when I come out we shall have an opportunity of discussing how best a United Nations of Africa or an African United States could be brought about around a central unificatory and attractive idea.

I may be permitted to recall here that when in the earlier years I used to speak of a United Gold Coast becoming independent, my old friend Colonel Bamford, Commissioner of Police, used to jeer at me saying that so long as we had separate tribes the idea of a United Gold Coast could not be realized. When, however, later on he heard of my theory of a common origin of Gold Coast tribes from ancient Ghana, he took serious notice of my activities by reason of the attractive unificatory idea of Ghana.

In regard to Africa I should mention that the term "Africa" itself cannot be very helpful. It, like the Gold Coast, is a colonial term. It was the Roman name for Libya ("an ear of corn"). Africa as a name is not found in the most ancient books, not in the Bible, nor even in Herodotus. On the other hand Ethiopia is found in the Bible, but not in the older authorities, such as Genesis, chapter 10, where it is not mentioned at all in the Table of Nations where Egypt (Mizraim) and Ham and Cush and Sheba are mentioned. Ethiopia is mentioned in Herodotus, but it turns out to be a Greek colonial term for Cush (Tush), the Greeks having coined the term in place of the Egyptian term for Cush, "Ethaush", because the Greeks could not adapt themselves to 'sh', hence Aethiops. Today Abyssinia has

so thoroughly exploited the Ethiopian idea that I hardly think it may be any longer attractive for a unificatory concept to embrace all of Africa.

The question that is left is this: what is there in this great "Question Mark" of a Continent which had always been responsive to the needs of the world ancient and modern? Why did God take Abraham and his father Terah, from Ur of the Chaldees and from Haran to promise Abraham and his seed the land of Canaan but He, the Almighty God, deliberately planted Abraham's seed, Jacob or Israel, through the instrumentality of Jacob's son, Joseph, in Africa, for 400 years before He called upon Moses to uproot them from Egypt into Canaan? Again, what did God find in Africa to have got the Angel at Bethlehem to advise Joseph and Mary to take the child Jesus into Africa from the threat of death by King Herod? Why did not the Angel of the Lord advise Joseph to take Jesus into the East where the three Kings had come from with presents to the Baby Jesus, or why did not the Angel advise Joseph to take the child Jesus to Europe, say to Greece or Rome, countries which were at the time the imperial and cultural rulers of the whole of Canaan?

Or to come to more worldly affairs, why did Christopher Columbus visit Elmina in Africa (Gold Coast) before going West to discover the New World, America? It would seem, indeed, that the great discoveries of the fifteenth century, led by Prince Henry the Navigator, both of the Western World and the Far East, must have been inspired by Africa as the pivot and question mark of the universe.

These are some of the ideas to be explored on the Africa question to find out the particular field or fields in which Africa is responsive to the needs of the universe, and thereby to discover an attractive unificatory idea for all Africa to come together around that idea, such an idea, that is to say, as would attract countries like South Africa to join the African union without compulsion, such an idea as would make the great leaders of the world look up to the leader of the new United Africa as a dynamic centre for indispensable consultation.

I do hope that when I come back home we can work out a solution of the Africa idea under the auspices of the Ghana

Academy of Sciences or of the Institute of African Studies at the University of Ghana.

I end as I began, I am tired of being kept in prison kicking my heels, and doing nothing worth while for the country of my birth and love, and for the great continent of Africa which was the first to give the entire world a real taste of civilization. My labours in African research and Ghana history are well known to you and to many others. In fact, Professor Hodgkin of the Institute of African Studies has asked me to write my biography for the benefit of the country, but, of course, it is impossible for me to comply with his request if I am kept in prison.

My plea and my prayer to you, Osagyefo, is that I be released to return home for the following specific purposes:—

- (1) to pursue my vocation for creative work in Ghana literature;
- (2) to pursue my vocation for research into Ghana history and culture;
- (3) to promote a home for my wife and children and to promote the education of my children as befits their talents;
- (4) to restore my parental home at Kibi to a respectable dignity for use of the younger members of the family;
- (5) to pursue social and cultural life in church and state; and
- (6) to practise my profession as a lawyer to obtain the wherewithal for the pursuit and promotion of the above interest.

I earnestly appeal to you in the blessed name of God, of Ghana of George Alfred Grant and of all the great ones of our glorious past as well as the unborn pioneers and guardians of our treasured national liberties and freedoms, to have regard to my national record in the past as a basis for computation of my future activities, and to balance that record against my detention in prison where I cannot lift a finger to add to the nation's achievements.

For instance, at the present moment I have three major works out in the world for publication, but I do not know for certain where they are to be found. Assuredly it is only when I am free

at home that I can take steps to retrieve the manuscripts and secure publication.

These are:—

- (1) *The Ghana Doctrine of Man.*—Research into the Dual Family System of the Akan People (*Ntoro* and *Abusua*) undertaken with the assistance of Sir Alan Burns Government. (Your Government Cabinet Secretary, Mr. D. A. Chapman, has an earlier copy of the manuscript. The definitive copy is with a friend at UNESCO, Paris.)
 - (2) *The Elements of Ghana Culture.*—This is a collection of my lectures and essays on our origin from ancient Ghana. Last year the manuscript was in possession of a friend at Reed College, Oregon, in the United States, but I do not know for certain where it is today.
 - (3) *Sacred Days in Ghana.*—This contains additional and conclusive proof of our cultural achievement, in particular the Ghana Calendar of a planetary week of seven days, which confirms my theory of our ancient and undoubted membership of an earlier civilization. This manuscript, too, was in the hands of the Professor of Sociology at Reed College, Oregon, USA, up to last year, but I do not know for certain where it is today.
- I trust you will accept this appeal for my release from detention in the spirit of utmost confidence and cordiality in which it is written, and I look forward to my early release from prison with the greatest possible faith, expectation and confidence.

Believe me to be,

Osagyefo,

Yours Very Sincerely and Respectfully,

(Signed) J. B. DANQUAH

P.S.

I should not like to describe in this letter the type of food we are given in this prison, but you will recall that in 1948 the

British Government provided for each of us, the six detained, a cook-steward with a box of provisions for each man's use. In my own case the District Commissioner at Gambaga, an Irishman, supplied me with meals three times a day direct from his table and I did not therefore need the cook-steward. At the Nsawam Prison here, during the last four months, in my attempt to chew the tough meat that is given to us I have thereby broken my two front upper teeth, so that my denture is now a bad fit, loose, and there is no dentist here.

Obediently Yours,
(Signed) J. B. DANQUAH